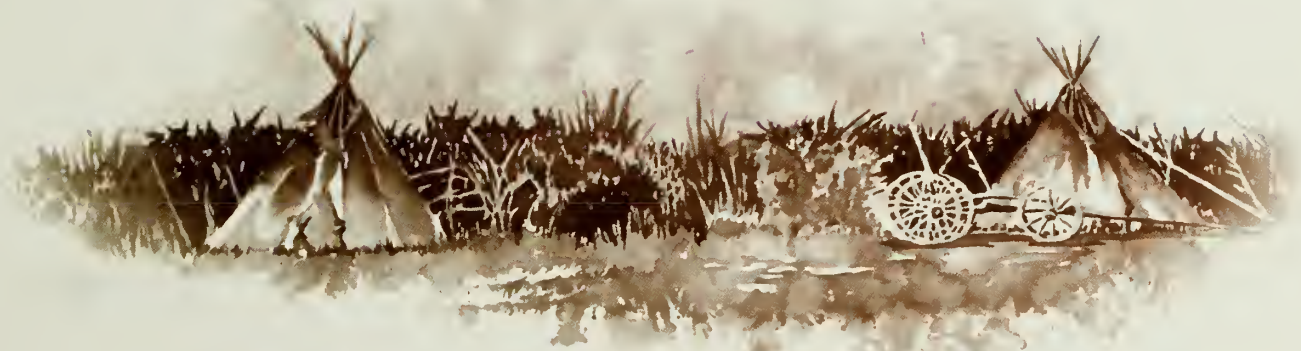


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Final
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BEAR RIVER MASSACRE SITE • IDAHO

In the early morning of January 29, 1863, Col. Patrick Edward Connor and the Third California Volunteers of the United States Army attacked a village of Shoshone people spending the winter at Bear River. Most of the 23 soldiers who died received their mortal wounds during the first half hour of the conflict. By noon, somewhere between 240 and 300 Shoshone men, women, and children lay dead on the massacre field.

Americans ought to know what acts of violence bought them their right to own land, build homes, use resources and travel freely in North America. Americans ought to know what happened on the ground they stand on.

Patricia N. Limerick
Sweet Medicine, 1995



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SUMMARY

The purpose of this study is to provide the United States Congress with a professional analysis of whether the nationally significant resources of the Bear River massacre site in Idaho are suitable and feasible to be added to the national park system (the site was designated a national historic landmark in 1990), and to examine viable alternatives for the protection and public use of the site. One of the responsibilities of the National Park Service is to identify nationally significant natural, cultural, and recreational resources and assist in their preservation both inside and outside the national park system. The areas managed by the National Park Service are only one part of a national inventory of special and protected areas managed by innumerable federal, state, and local agencies and the private sector. Consequently, addition to the national park system is only one of several alternatives for ensuring the preservation of significant national resources for public enjoyment and benefit.

Five alternative approaches are presented in the study for consideration. The **no-action alternative** retains the present situation at the massacre site. No further boundary designations would be proposed other than the current national historic landmark status. No protection of the massacre field or public access to the site would be established under this alternative other than those voluntarily provided by individual private landowners.

Alternative 1 proposes the creation of a **historic site** by the Franklin County Commissioners. Under this approach, the county would designate a historic site boundary encompassing the national historic landmark as a county historic site. The site

would be administered locally by Franklin County.

Some protection of the massacre field and surrounding landscape would be provided if the county designated a historic overlay zone for the site through a county ordinance. If established, this zone would help retain the historic character and agricultural uses of the area. There would be limited public access to the massacre site under this alternative, and no acquisition of fee simple title or easements would be proposed.

Interpretation of the massacre would be accomplished through the establishment of a visitor center in the town of Preston. The center could be operated in conjunction with the Chamber of Commerce and also provide area visitor and tourism information. The establishment of a Preston visitor center could also be included as an initial phase of alternatives 2, 3, and 4.

Alternative 2 creates a **state historic site**, which provides a state designated area incorporating the massacre field and adjacent landscape under the management and administration of the Idaho State Department of Parks and Recreation. In administering the site, the state of Idaho would work in partnership with a heritage commission composed of representatives from each of several interested entities such as the county government, landowners, historic preservation groups, and Shoshone tribal governments. The specific roles of each entity would be defined by written agreement(s). The state would assume overall leadership in resource protection, interpretation, and site management.

Regarding a boundary, alternative 2 would focus on protecting a cultural landscape slightly larger than the present national historic landmark. The land protection emphasis under this alternative would rely on state fee title purchases from willing sellers of a visitor center site and the location of the Shoshone Memorial. Easements would also be obtained by the state for road access, overlooks, and waysides. However, the remainder of the state historic site, including the massacre field, would remain in private ownership, and its protection would be dependent on the application of complementary county land use ordinances similar to alternative 1. These ordinances would be relied on to help retain the agricultural and open space character of the setting.

Site interpretation would tell the massacre story from a newly constructed visitor center and interpretive overlook from the Soldiers' Overlook to the east of the massacre site along a bluff.

The interpretive program and exhibits at the visitor center and overlook would feature a balanced presentation denoting what happened the day of the massacre. This interpretation would be complemented by a more detailed contextual story than in alternative 1. In addition to the visitor center and overlook, a Shoshone memorial would be situated on or near the massacre field, contingent on the state obtaining the right or permission from a private landowner.

Alternative 3 creates a **national historic reserve** that places greater emphasis on the national significance of the site by extending federal protection to significant cultural resources, especially the massacre field. Protection of the massacre field and surrounding landscape is emphasized under

this alternative. The reserve would be managed by the National Park Service in collaboration with tribal governments, the Idaho state historic preservation officer, county government, and area citizens.

The boundary of the reserve under this alternative would encompass an area somewhat larger than the national historic landmark, and includes lands to the south along Bear River, which were important to the story of the massacre. Land protection within the reserve concept also emphasizes the retention of private ownership wherever possible, with restrictions on subdividing and intensive land development provided by the acquisition of conservation easements from willing sellers. Fee simple acquisition would be required only where public facilities are needed, and potentially within portions of the massacre field. Fee simple acquisition would depend on the private owner choosing to sell in fee vs. a less-than-fee interest. Where conservation easements are obtained, most existing private agricultural uses of the land could continue.

Complementary county land use ordinances would be particularly needed where the National Park Service does not acquire the appropriate interest in a private property.

The interpretive focus of alternative 3 would be to tell the massacre story from a location towards the western edge of the site atop a bluff. Site development would include a visitor center, overlooks, and wayside exhibits managed by the National Park Service, and a cultural center operated by the Shoshone. However, public access to the massacre field and the valley floor would be discouraged and generally restricted to infrequent guided groups and special access for commemorative activities. This element is one of the primary differences between alternatives 3 and 4.

Alternative 4 proposes the establishment of a **national historic site**, managed by the National Park Service in collaboration with tribal governments, the Idaho state historic preservation officer, county government, and area citizens. As with alternative 3, protection of the massacre field and surrounding landscape would be emphasized.

In contrast to alternative 3, this alternative protects historic resources through a land protection approach that seeks public ownership of the massacre field in fee simple. To the extent possible, the massacre field would be managed to approximate the general landscape setting at the time of the massacre. Outside the massacre field itself, alternative 4 would place emphasis on an open policy of acquiring conservation easements from willing sellers. These acquisitions would be undertaken to protect and retain the landscape surrounding the massacre field, and to protect the agricultural and open space character of this portion of the Bear River valley. Where conservation easements are obtained, most existing private agricultural uses of the land could continue.

Interpretation of the national historic site under alternative 4 would tell the massacre story from a visitor center located atop one of the surrounding bluffs. As with alternative 3, site development would include a visitor center, overlooks, and wayside exhibits

managed by the National Park Service, and a cultural center operated by the Shoshone people. As contrasted with alternative 3, which generally would restrict public access to the massacre field, this alternative includes a limited number of trails and waysides for public use and access to be developed at key points adjacent to the massacre field and at the hot springs. As with alternative 2, a Shoshone memorial would be established near the massacre field.

Both alternatives 3 and 4 would, if acted upon by Congress, establish the Bear River massacre site as a unit of the national park system. Like all National Park Service (NPS) areas, congressional authorization and funding for the Bear River massacre site would be required before either alternative could be implemented. Funds would be needed for land acquisition, site development, and operations. According to NPS policy, regardless of whether acquisition of fee title interest or a conservation easement is proposed, NPS acquisitions would be actively pursued when a private landowner expresses a specific willingness to convey an interest in their property to the United States. As Congress considers the merits of establishing the Bear River massacre site as a unit of the national park system, it is recommended that this willing seller restriction be incorporated into any legislation that might be enacted for the site.

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ILLUSTRATIONS

NOTE: The water-color illustrations of 19th century Shoshone life were taken from historic photographs in the files of the Idaho State Historical Society. These photographs are labeled and credited as follows:

When they finally settled at Fort Hall, Shoshoni and Bannock families made sagebrush windbreaks to protect their winter camps (Idaho State Historical Society Picture Series Number 3) Cover of document

Shoshoni clothing styles came from their plains neighbors as well as from fur traders. These included Hudson's Bay coats and ceremonial feathered headgear with geometric patterns similar to Crow, Blackfoot, and Arapaho designs (Idaho State Historical Society Picture Series Number 3) 1

Artist's conception of the confluence of Beaver (Battle) Creek and Bear River on the early morning of January 29, 1863 21

Bannock and Northern Shoshoni bands moved about the country in a continual search for food. In summer they sometimes built temporary brush shelters like this one (Idaho State Historical Society Picture Series Number 3) 41

The Daughters of the Utah Pioneers monument 49

Shoshoni people lived in western mountains and deserts long before Lewis and Clark met them in Idaho in 1805. This mountain Shoshoni family preserved its old way of life in Idaho near the continental divide (Idaho Historical Society Picture Series Number 3) 111

introduction



VISION STATEMENT

The Bear River massacre site should be a place that is protected from any development that would harm its significant historic and sacred qualities. The site should commemorate not only the soldiers that participated in the massacre, but also acknowledge the lives of the Shoshone people that were lost on its soil. It should be a place where visitors can learn the various viewpoints of what happened, as well as the historical and social context of the times, and the consequences of its occurrence. It should be a place that retains its rural character without unduly affecting the lives of people who now own and use the land.

The vision statement above was developed by the National Park Service component of the team that prepared this study. It was prepared after a series of meetings with a focus group (the larger planning team), landowners, and Shoshone tribes. The vision articulates the desired future for the Bear River massacre site, and establishes standards by which four management alternatives can be measured. The success of any given alternative will depend directly on the degree to which it achieves the goals stated in the vision statement. The desired futures that were used to develop the vision statement are detailed in a later section of this study

PURPOSE OF AND NEED FOR THE STUDY

BRIEF DESCRIPTION OF THE SITE

The Bear River massacre site lies a little over 6 kilometers (4 miles) north of Preston, Idaho, in the southeast corner of the state, the county seat of Franklin County (see the Region map). Today, an existing roadside monument erected by the Daughters of the Utah Pioneers and an interpretive sign placed by Idaho Department of Transportation near the site commemorate the massacre by emphasizing the roles of the 19th century settlers and the military. The surrounding 684 hectares (1,691 acres) comprise the national historic landmark. With the exception of a highway right-of-way, all land is privately owned.

STUDY BACKGROUND

Only recently has the significance of the Bear River massacre site become known outside the realm of a few academic circles and Shoshone oral tradition. As knowledge of its importance in the history of the west becomes better known, visitation to the site is expected to increase, and with it the necessity to protect the historic resources, and to interpret the massacre accurately, while respecting the ways of life of people now using the land.

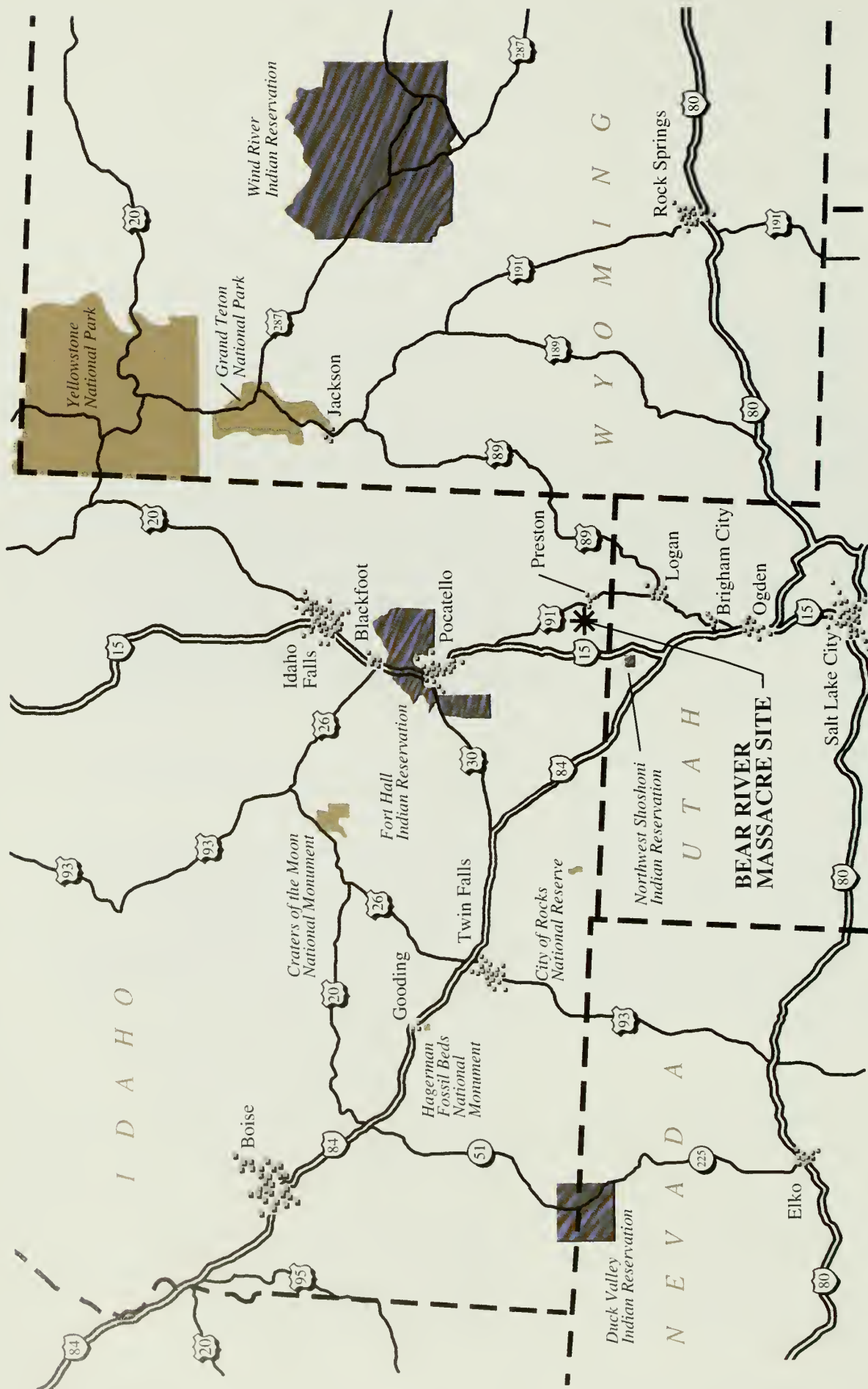
In 1916 a committee comprised of descendants of pioneer settlers in the Cache Valley was organized to commemorate the massacre event, then known as the Battle of Bear River. This effort was primarily intended to honor the California Volunteers. In 1932 the committee succeeded in erecting a monument through the efforts of the Franklin County Chapter of the Daughters

of the Utah Pioneers, the Cache Valley Council, the Boy Scouts of America, and the Utah Pioneer Trails and Landmarks Association. The Daughters of the Utah Pioneers rededicated the monument in 1953 to also commemorate the role of pioneer women in caring for the wounded soldiers and five of the Shoshone survivors.

In the mid-1980s, the Bear River-Battle Creek Monument Association was formed by people in the Cache River valley interested in further commemorating the Bear River massacre. Their emphasis has primarily been to increase recognition of the national significance of the event. Through their efforts, the Idaho and Utah state legislatures passed a joint resolution calling for the creation of a "Battle of Bear River Monument" in 1986.

Many Shoshone people had long objected to the characterization of the conflict as a battle, to the emphasis in the commemoration of settlers and soldiers, and the portrayal of the Shoshone victims as "hostiles." Upon passage of the joint resolution, Mae Timbimboo Parry, a Shoshone descendant of one of the survivors of the massacre, threatened to file suit over the use of the word "battle" in the legislation. Partially to resolve this dispute, and partially to begin honoring the request of the Utah and Idaho state legislatures, Idaho Senator James McClure asked the National Park Service to undertake a national historic landmark study.

In 1990, Edwin C. Bearss, then chief historian of the National Park Service, completed that study, recognizing the event as a massacre and officially renaming the



REGION

Bear River Massacre Site

National Park Service / U.S. Department of the Interior

DSC/May 95 - 903/20,109

event as the Bear River massacre. The National Park Service Advisory Board concurred with his conclusion that the site represented a nationally significant event in the history of the United States, resulting in the secretary of the interior's designation of the Bear River massacre site as a national historic landmark in 1990.

The national historic landmark study was the first step taken by the National Park Service in response to the joint resolution by the Utah and Idaho state legislatures. It has been followed by the preparation of this special resource study, which evaluates the suitability and feasibility of creating a new unit of the national park system, and outlines a variety of methods for protecting, interpreting, and managing the site.

PURPOSE AND NEED

Congress has directed the National Park Service to study natural, historic, and

recreation areas to determine whether they are nationally significant, and if so, whether they have the potential for inclusion in the national park system (16 USC 1a-5). For that reason, and in response to the joint resolutions of the states of Idaho and Utah, the National Park Service has undertaken this special resource study. Therefore, the purpose of this study is to provide information to Congress on the significance of the Bear River massacre site to American history and on the suitability and feasibility of designating the site as a unit of the national park system. This study further outlines four alternative strategies for the protection, interpretation, and management of the site and weighs the benefits and impacts of each alternative. The study outlines two alternatives under which the site could become part of the national park system, as well as two methods for protection and management of the site that involve local and state governments.

CRITERIA FOR PARKLANDS

National Park Service *Management Policies* (1988) outline the criteria by which areas are evaluated for inclusion in the national park system, and stipulate the following:

To be eligible for favorable consideration as a unit of the national park system, an area must (1) possess nationally significant natural, cultural, or recreational resources, (2) be a suitable and feasible addition to the system, and (3) require direct NPS management instead of alternative protection by other agencies or the private sector. These criteria are designed to ensure that the national park system includes only outstanding examples of the nation's natural, cultural, and recreational resources. They also recognize that inclusion in the national park system is not the only option for preserving the nation's outstanding resources. (Chap. 2:1-2).

The NPS criteria for parklands were applied throughout this study to determine whether the Bear River massacre site qualified for inclusion as a unit of the national park system. The site has been evaluated according to those criteria as described below.

SIGNIFICANCE

The Bear River massacre site has been designated a national historic landmark because it possesses exceptional value in illustrating or interpreting the history of the United States. As the scene of the largest single massacre of American Indians in the western United States, it has been identified

with a broad pattern of United States history (see the full text of the landmark nomination form in appendix A).

- The event was the first of several conflicts between the United States Army and American Indians in the late 19th century that ended as massacres. Even the lowest estimates of the Shoshone dead at Bear River (240) exceed the number of people killed at later massacres, such as at Sand Creek, Colorado (103 Cheyenne), Washita, Oklahoma (150 Cheyenne), Marias River, Montana (173 Piegan Blackfeet), and Wounded Knee, South Dakota (at least 146 Lakota Sioux).
- Military historians cite the Bear River event as the first time that the U.S. Army deliberately attacked a winter village at a time of year when American Indians were known to gather together, instead of drawing the warriors out to another location to do battle. The effects of cold weather assisted the army's undetected approach and hindered the escape of wounded people.
- The Bear River massacre was a seminal event in the determination of United States military policy towards native peoples during a period that later became known as "the Indian Wars." This period began at the Bear River massacre and ended with the massacre at Wounded Knee.
- The massacre eventually led to treaties and the creation of several reservations in the region, opening prime

agricultural land to settlement by farmers and mineral wealth to miners.

- The massacre and its aftermath permanently changed the way of life for Shoshone and other American Indian peoples in Idaho, Nevada, Wyoming, and Utah.

Under the NPS *Management Policies* (1988) and *Criteria for Parklands* (1990), the Bear River massacre site meets the following criteria for significance:

- It is an outstanding example of a site where the conflict between American Indians and the U.S. Army resulted in the massacre of an entire village of Indian people.
- It possesses exceptional value in illustrating or interpreting the cultural themes of our nation's heritage — in this case, the conflict between peoples.
- It offers superlative opportunities for public education and historic research.
- It retains a high degree of integrity as a true and accurate example of the resource, due to the open character of the rural landscape and present lack of intensive development. This degree of integrity was confirmed in the national historic landmark nomination. The only substantive change to the landscape since 1990 that affects that integrity is the development of a trailer park on the east side of the highway inside the southern boundary of the national historic landmark.

In conclusion, the Bear River massacre site fits the criterion of national significance that must be met before a historic site can be

considered for inclusion within the national park system.

SUITABILITY

To be considered suitable for inclusion in the national park system, a historic site must represent a cultural theme that is not already well represented within the park system or is not preserved and interpreted by some other land-managing agency. Adequacy of representation is determined by comparing the proposed addition to other units in the national park system. In that comparison, the National Park Service considers differences or similarities in the character, quality, quantity, or combination of resources and opportunities for public use.

Under the draft thematic framework developed by the National Park Service in 1995, the Bear River massacre site represents the theme "Peopling Places," and the topic "Encounters, Conflicts and Colonization." Currently, 84 units of the national park system have resources that represent this thematic topic, but most are related to prehistoric conflict or encounters that took place during the colonial period of North American history.

Fifteen units interpret American Indian and U.S. Army conflict in the second half of the 19th century, as shown in table 1. Of those, the story of that conflict is incidental to the primary purpose of the park in seven units. Of the remaining eight units, six are military forts, with an interpretive emphasis on army life, the function of the military on the "Indian frontier," and in the protection of immigrants and traders.

TABLE 1: UNITS OF THE NATIONAL PARK SYSTEM THAT REPRESENT THE THEMATIC TOPIC OF CONFLICT BETWEEN THE U. S. ARMY AND AMERICAN INDIANS IN THE SECOND HALF OF THE 19TH CENTURY

PARK UNIT	PROMINENCE OF HISTORIC THEME IN INTERPRETATION
Badlands National Park	Secondary
California National Historic Trail	Secondary
Canyon de Chelly National Monument	Secondary
Fort Bowie National Historic Site	Primary
Fort Davis National Historic Site	Primary
Fort Laramie National Historic Site	Primary
Fort Larned National Historic Site	Primary
Fort Smith National Historic Site	Primary
Fort Union National Monument	Primary
Lava Beds National Monument	Secondary
Little Bighorn Battlefield National Monument	Primary
Mormon Pioneer National Historic Trail	Secondary
Nez Perce National Historical Park (including Big Hole National Battlefield)	Primary
Oregon National Historic Trail	Secondary
Pony Express National Trail	Secondary

Only two units actively interpret hostile encounters between the U.S. Army and American Indians. At Little Bighorn Battlefield National Monument, the principal story is that of the defeat of Lt. Col. George Armstrong Custer's troops by an unprecedented alliance of northern plains Indians, and the attempt of those tribes to protect their way of life. At Nez Perce National Historical Park, 7 of the 38 units of the park are designated to interpret battles and skirmishes between the Nez Perce people and units of the U.S. Army.

Of particular importance to the consideration of suitability is the fact that, despite being a critical part of our nation's history, no site of the massacre of American Indians is currently represented by a unit of the national park system. In the national historic landmark nomination of the Bear River massacre site completed by the National Park Service in 1990, four other massacres of American Indians by the army were listed. As shown in table 2, all sites receive only minimal interpretation, and all but one are in private or tribal ownership.

TABLE 2: AMERICAN INDIAN MASSACRE SITES AND THEIR CURRENT OWNERSHIP

SITE	NO. OF INDIAN PEOPLE KILLED*	DATE	CURRENT LANDOWNERSHIP
Bear River, ID	240 Northwest Shoshone	January 29, 1863	28 private owners in national historic landmark boundary
Sand Creek, CO	130 Cheyenne	November 19, 1864	1–4 private owners
Washita River, OK	103 Cheyenne	November 27, 1868	one private owner
Marias River, MT	173 Piegan Blackfeet	January 23, 1870	Bureau of Reclamation or private owner
Wounded Knee, SD	146 Lakota Sioux	December 29, 1890	Pine Ridge Oglala Sioux Reservation

* None of the estimates of people killed in these massacres are incontrovertible numbers. For the purposes of comparison, the lowest estimates have been used in every case.

The **Sand Creek** massacre site in Kiowa County, Colorado, is clearly marked on most state maps and is relatively easy to find by traveling 13 kilometers (8 miles) of dirt roads. However, the exact location of the site is in question, as participants in the conflict did not return for several decades, and the landscape has changed somewhat. Although the site of the massacre is probably on one individual parcel of privately owned land, as many as four different locations, and thus four separate owners, may possess the massacre site. The site that is acknowledged as the most likely is marked with a small stone monument the size of a gravestone, erected in 1950. There is no orientation to the site. A sign 13 kilometers (8 miles) away, on the nearest paved highway, interprets the massacre. The site has not been listed in either the National Register of Historic Places or the Colorado State Register of Historic Places.

The massacre at **Washita River**, Oklahoma, is still known as the “Battle of the Washita.” It is all within private ownership, mostly by one landowner. The state has an easement at an overlook that interprets the site. It was designated a national historic landmark on

October 15, 1966. The National Park Service completed a new area study of the site in 1970. In 1994 the Park Service prepared a revised boundary map and a new statement of significance for congressional hearings to reconsider inclusion in the national park system. In the fall of 1996, Congress passed a bill creating the Washita Battlefield National Historic Site.

The massacre of about 170 Piegan Blackfeet at the **Marias River** in Montana is often referred to as “The Baker Massacre” after the lieutenant that led the army troops. Like the Sand Creek massacre site, that of the Marias River is not well documented. One possible site is owned by the Bureau of Reclamation, but others are on private land. The site is not listed in the National Register of Historic Places, nor is it interpreted. Blackfeet people currently hold yearly ceremonies at the Bureau of Reclamation site, and have obtained a grant to do archeological surveys of it, but no other public recognition of the event exists.

The site of the massacre at **Wounded Knee**, South Dakota, is on the Oglala Sioux reservation of Pine Ridge. As reservation

land, it is held in public trust for the members of that tribe. It was designated a national historic landmark on October 15, 1966. A 1993 *Study of Alternatives* completed by the National Park Service outlined two alternatives that would make the site a unit of the national park system and a third that would create an NPS-affiliated tribal park operated jointly by the Oglala and Lakota Sioux tribes. The study is now being considered by Congress.

The Bear River massacre site offers an excellent opportunity to tell the story of the conflict between American Indians and the United States Army in a single, well-defined location that is easily accessible to travelers. This thematic topic is not well represented by other units of the national park system, and very little interpretation of the topic has been undertaken by other local, state, tribal, or federal land-managing agencies.

All Americans, both Indian and non-Indian, should be given the opportunity to learn about this uncomfortable aspect of the nation's history — the massacres of whole villages of American Indians. The knowledge of the violence that bought all Americans the right to own land, build homes, use resources, and travel freely throughout the country will increase their understanding and appreciation for those rights. At the very least, the price the Shoshone paid should be acknowledged.

In conclusion, the Bear River massacre site meets the criterion of suitability to be added to the national park system. Only one other historic site commemorating and interpreting a massacre of American Indian people during the settlement of the western United States by non-Native peoples is currently managed or operated by the National Park Service — the Washita Battlefield was

added to the system in the fall of 1996. While it is possible that the Marias River massacre site is publicly owned, there is controversy over its exact location (it might be on private land), and it is not actively interpreted. Wounded Knee is held in trust by the United States for the Oglala Sioux, but is not actively interpreted.

FEASIBILITY

To be feasible as a new unit of the national park system, an area must be of sufficient size and appropriate configuration, considering historic settings, to ensure long-term protection of resources and to accommodate public use. It also must have potential for efficient administration at a reasonable cost. Important feasibility factors include landownership, acquisition costs, access, threats to the resource, and staff or development requirements.

It is important to note that interest in the creation of a park unit to commemorate the massacre site originated with grass-roots organizations at the local level. It was on the strength of local interest that both the states of Idaho and Utah passed resolutions requesting Congress designate the Bear River massacre site as a "national monument."

The principal difference between this study of alternatives and those of other similar sites in recent years is the recognition that very little land needs to be removed from private ownership and private control. In all alternatives, every effort has been made to ensure that the rights, privileges, and privacy of landowners and residents would be respected, and that, in most cases, their current use of the land would continue.

Implementation of any of the alternatives would depend on landowner and resident cooperation. The acquisition of any land, whether in fee simple or through easements, would be strictly on a willing seller/willing buyer basis.

A detailed discussion of the feasibility of each alternative, especially cost considerations, will be dealt with separately in the discussions of the impacts. In summary, the Bear River massacre site meets the feasibility criteria as a potential new unit of the national park system in both alternatives 3 and 4 in the following ways:

- A boundary can be drawn of sufficient size and appropriate configuration to ensure the long-term preservation of resources and to accommodate public use.
- There is a potential for efficient administration at a reasonable cost.
- Private ownership of land within the proposed boundaries can be accommodated while still realizing resource protection and visitor use goals, where development is restricted through the acquisition of easements and through adoption of complementary county land-use ordinances.
- Acquisition costs can be kept somewhat lower due to a heavy reliance on the acquisition of development rights, and scenic and conservation easements to achieve resource protection and visitor use goals.
- Access to the site is easily accomplished along existing roads and

highways, and can be facilitated by the acquisition of easements.

- Threats to the resources are currently minimal and can be ameliorated by the proposals in the alternatives (these threats are discussed in more detail later).

The feasibility issue of cost is summarized as follows.

Operational Costs

The annual operation of facilities varies by alternative. The size of the staff, number of buildings, facilities, and exhibits requiring maintenance, and the number of people employed by whichever agency is managing the site also varies. Annual operating expenses have been separated from one-time costs listed below, because they will be recurring on an annual basis. Like all estimates offered here, operating cost estimates are based on 1996 dollars, and may need to be adjusted in future years to account for inflation or other economic trends.

Alternative 1: \$175,000/year

Alternative 2: \$275,000/year

Alternative 3: \$375,000/year

Alternative 4: \$450,000/year

Facility Development Costs

Approximate cost estimates for facility development include buildings, infrastructure, interpretative media, road construction, and other physical improvements that would be necessary to implement each of the four alternatives described in the study. All alternatives

promote public/private partnerships in one form or another. Therefore, cost sharing between all levels of government, with support from the private sector, is anticipated to support the capital improvements that would be required to implement each alternative.

Governmental funding emphasis would be at the local level for alternative 1; at the local, state, and tribal level for alternative 2; and at the state, tribal, and federal level for alternatives 3 and 4. Private sector support would be assumed for each alternative. Total estimated costs for facility development are as follows:

- Alternative 1: \$1.3 to \$1.5 million
- Alternative 2: \$7.3 to \$9.3 million
- Alternative 3: \$9.4 to \$11.9 million
- Alternative 4: \$12.3 to \$14.9 million

Land Acquisition Costs

A legislative cost estimate for land acquisition will be developed for each alternative presented in the study. These cost estimates will be provided separately to Congress.

Only minimal easement acquisition costs would be expected for alternative 1 because this alternative places primary reliance on county land use planning and local ordinances to protect resources. Some land acquisition costs would be incurred by the state of Idaho under alternative 2, and would likely involve limited fee title acquisition and some conservation easement purchases, coupled with complementary county land use planning and ordinances. Alternative 3 would involve costs to the federal government for both fee title and conservation easement purchases, coupled with complementary county land use planning and ordinances. The same types of acquisition would be expected for alternative 4, with some higher cost expected due to additional fee title purchases within the massacre field.

The general land values in the area reflect farming and ranching uses, and any land acquisition costs would be expected to be commensurate with those land values. As stipulated throughout this study, any land acquired by public entities would be recommended only when a willing seller situation exists.

THE MASSACRE AT BEAR RIVER

Until the middle of the 19th century, the Shoshone¹ were a people who moved throughout a large territory from northern Idaho to southern Utah, and from western Wyoming to central Nevada. Their livelihood depended on the rich grasslands that provided wild grains for themselves and their horses. They tended to band together under the leadership of a single person who was adept at making decisions about where to find scarce resources or how to wage war, depending on the needs of the times. The size of the bands varied also depending on needs: small groups were favored where resources were widely scattered and not numerous; larger groups were needed in times of plenty or when warfare was the only way to procure food and clothing. Band membership was fluid, with each family deciding who they wanted to follow and how many people they thought they should live with in order to meet their own needs. By 1860, about 450 Shoshone people following the leaders Bear Hunter and Sagwitch were using the resources of the Cache Valley, a

broad plain bounded by the South Hills of Utah, and the Wasatch, Malad, Bannock, Portneuf, and Bear River ranges of Idaho.

Beginning in the 1840s, settlers associated with the Church of Latter Day Saints (LDS), fleeing religious persecution, came to the Great Salt Lake. As they moved north towards the Cache Valley, they began to plow the Shoshone grasslands, turning them into rich agricultural fields. As their grasslands disappeared, the Shoshone came to be more and more dependent on these settlers for flour and beef to replace their wild seeds and game. Living as neighbors of the Shoshone, the settlers bought an uneasy peace with periodic contributions of grain and beef.

In the 1850s, word of good agricultural land in Oregon stimulated a mass migration of other Euro-American settlers to the far west. These emigrants, as transient people with concerns about having enough supplies to complete their journeys, were not always willing to share their food and livestock with the Shoshone along the trail. Misunderstandings in motives occurred on the part of both groups of people. Based on exaggerated reports of dangers from American Indians, emigrants sometimes fired at the starving (or occasionally simply curious) people whose lands they were passing through. These misunderstandings often led to unfortunate conflicts, and sometimes death for Shoshones, settlers, and emigrants alike.

1. The word *Shoshone* is spelled two ways throughout this document. *Shoshone* is used to denote all speakers of a Numic language within the Shoshonean language family who shared widely spread cultural characteristics and extensive interaction both before and after the advent of the reservation system. This spelling is preferred by most Shoshone people. *Shoshoni* is an alternative spelling adopted by the Northwest Band of Shoshoni Nation, a federally recognized tribe, many of whose ancestors were at Bear River in January 1863. In this document, the latter spelling refers only to members of the Northwest Band. The origin of the word is uncertain, and does not appear to have been used by Shoshone speakers to refer to themselves.

At the same time, gold fever ran rampant throughout the west. The men who searched for placer gold invaded the Rocky Mountains in the 1850s, hoping to find the next bonanza, make their fortune, and return to the families they left at home. In keeping the peace in lands they crossed on the way to the next El Dorado, these highly mobile individuals often had even less motivation than the emigrants did. Knowing they would be in Indian territory only a few hours or days, and having little fear of reprisals, these men rarely shared their extremely limited supplies with the residents of the high plateaus. By 1862 a steady trickle of miners had established the Montana Trail from Salt Lake City to the Beaverhead strikes of Montana Territory. This trail followed an earlier Shoshone trail, at least in part, and crossed the Bear River north of the northernmost Latter Day Saints settlement of Franklin, near a favored winter camp of Bear Hunter's band of Shoshone.

We have fed them [the Shoshone and other Indian tribes] thousands and thousands of dollars in wheat, beef, flour, vegetables, & c. & c., not through fear but through a sense of humanity, realizing that they look upon the very lands we occupy as a portion of their inheritance, bequeathed to them by their forefathers, consequently our policy has thus far secured to us, through the blessing of God, that peace which enabled our boys to roam over these mountains and canyons, and our women to travel from place to place unmolested (Peter Maughan, Bishop of the Church of Latter Day Saints, 1869).

With the California gold rush in 1848, communications between the two coasts of the country became more important than ever before. Most mail was carried on the Overland Stage, which ran from St. Louis, Missouri, to Sacramento, California, through Salt Lake City. Feeding the horses required to run the stage line seriously depleted grazing lands used by Shoshones, Utes, and Paiutes all along the route. Hostilities between Shoshone and Overland employees increased the tension, often interrupting mail service.

Then, in 1861, South Carolina seceded from the United States, throwing the country into civil war. Miners, merchants, and tradesmen in California heard the call to arms. In September of that year, the Third California Volunteer Infantry was formed in Stockton, California, to fight on the side of the Union army. Col. Patrick Edward Connor, a veteran of the Mexican War, became their commander. These volunteers joined the army for the express purpose of fighting in the Civil War. It was with disappointment that they learned they were being assigned to guard the Overland mail route instead. The troops were sent to replace the United States troops at Camp Floyd, south of Salt Lake City, who had already gone east. To keep the vital communication link between California and the people waging war in the east, the California Volunteers were charged with ensuring peace along the Overland route.

In early September 1862, reports of a blond-haired, blue-eyed boy living with Bear Hunter's Shoshone band began to circulate among the settlers. Although Bear Hunter vowed that the child was the son of a French trapper and the sister of another band's chief, Oregon emigrant Zachias Van Orman became convinced the boy was his nephew,

Every Indian captured in this district during the present war [the Civil War] who has been engaged in hostilities against whites, present or absent, will be hanged on the spot, women and children in all cases being spared. Part of the General Order by the Department of the Pacific, April 7, 1862, given to Colonel Connor when instructed to ensure the peace on the Overland mail route.

who had been captured by Shoshone on the Oregon Trail in 1860. Van Orman petitioned Colonel Connor to retrieve the boy. Negotiations to turn the child over to Connor's forces deteriorated, and four Shoshone men were killed.

By January 1863, this incident along with many seemingly disparate events on a regional and national scale — the settlement of Utah by the Church of Latter Day Saints, the displacement of Shoshone from their traditional gathering and hunting lands, the emigration of settlers to Oregon, the finding of gold in Montana, and the Civil War — coalesced to point the way of history towards the event on Bear River.

For the Shoshone, January was a time when bands gathered together to visit relatives and to engage in traditional ceremonies, including a celebration called the warm dance. The Cache Valley Shoshone favored a location near where the Shoshone trail crossed the Bear River, largely because hot springs along the river warmed the ground and provided good winter forage for their horses.

That winter the bands following Bear Hunter and Sagwitch pitched their lodges among the thickly growing willows that grew between the 2- to 4-meter (6–12 feet) high banks of Battle Creek, then known as Beaver Creek. As was the custom with the Shoshone, many lodges were supported by a framework of living willows tied together at the top. The surrounding thickets and streambanks offered additional protection from the fiercely cold wind that could sweep down the river in winter.

On January 5, ten gold miners following the Montana Trail were killed by Shoshones, purportedly in retribution for the deaths of four Shoshones in the Van Orman incident. The next day John Henry Smith was killed as Shoshones attempted to drive off the stock of another mining party. A Salt Lake City judge issued a warrant for the arrest of Bear Hunter and two other Shoshone band leaders, Washakie and Sanpitch, on the presumption that they were to be held accountable for the actions of individuals within their bands.

In the meantime, Colonel Connor had decided to take matters into his own hands. On January 21, he ordered 70 infantry troops north with supplies and ammunition, purportedly to protect wagon trains hauling grain south from the Cache Valley. Three days later, 220 cavalry were dispatched to march at night. They overtook the infantry and supplies on January 27.

The troops left Franklin, 29 kilometers (18 miles) south of the Bear River crossing, at 3:00 A.M. on January 29. McGarry's cavalry looked down on the village at 6:00 A.M. The troops saw an estimated 75 lodges in the encampment, and immediately mistook the thick willow patches and steep creek banks

as intentionally constructed military fortifications, structures that Shoshone people had never been known to build. McGarry's horsemen descended to ford the river almost immediately, before an alarm could be sounded and the Shoshone could escape.

Accounts differ as to which side fired first, but gunfire broke out as McGarry attempted to place his troops around the right flank of the village, according to the plan earlier conceived by Colonel Connor. When the infantry arrived a short time later, the river was too deep to cross on foot, so some of the cavalry ferried the foot soldiers, all getting wet in the bitterly cold morning. Most of the 21 army casualties occurred during the first half hour, as the Shoshone were entrenched within the banks of the creek and somewhat protected by thick willows.

Once McGarry got his cavalry into position, and the infantry in place on the west side of the river, the advantage offered by the streambanks and willows to the Shoshones was lost. The massacre began in earnest and lasted until about 10:00 in the morning.

Reports of the Shoshone dead vary widely, no two observers offering the same figures. Some drowned trying to escape in the river, and others may have died later of their wounds. Colonel Connor counted 240 dead, but admitted to leaving the field before he had finished the count. Some observers estimated as many as 500 dead. Brigham Madsen, a noted Utah historian and author of a study of the Bear River massacre, has systematically reviewed available estimates and suggests that somewhere between 250 and 275 people were killed. Estimates of survivors are more consistent in reports. Connor reported that about 160 women and

children were "taken prisoner" for the night of the massacre, then released with a limited amount of food and other supplies. Shoshone reports suggest about 20 men escaped. These figures roughly account for the 450 people who inhabited the 75 lodges reported in the village.

I have the honor to report that from information received from various sources of the encampment of a large body of Indians on Bear River, in Utah Territory, 140 miles north of this point, who had murdered several miners during the winter, passing to and from the settlements in this valley to the Beaver Head mines, east of the Rocky Mountains, and being satisfied that they were a part of the same band who had been murdering emigrants on the Overland Mail Route for the last fifteen years, and the principal actors and leaders in the horrid massacres of the past summer, I determined, although the season was unfavorable to an expedition in consequence of the cold weather and deep snow, to chastise them if possible. Col. P.E. Connor, February 6, 1863. The "horrid massacres" were actually a series of Indian attacks on emigrants, which, often as not, had been instigated by similar attacks of emigrants, settlers, or miners on Shoshone, Bannock, Paiute and Ute bands. In some instances, non-Indians had masqueraded as Indians to scare the emigrants from the area.



CULTURAL RESOURCES

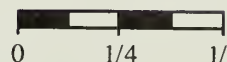
Bear River Massacre Site

National Park Service/U.S. Department of the Interior

DSC/Sept 96 • 903/20,112A



NORTH



0

1/4

1/2 Mile

The action at Bear River brought the California Volunteers and Colonel Connor in particular little criticism and great praise. Two months after the massacre, Connor was promoted specifically for his actions at Bear River. He went on to advise Col. John Chivington, who commanded the First and Third Colorado Volunteers at the massacre of Cheyenne people on Sand Creek, two years later.

I congratulate you and your command on their heroic and brilliant victory on Bear River. You are this day appointed a brigadier-general. General-in-Chief H. W. Halleck, Washington, D.C. to Col. P. Edward Connor, March 29, 1863.

The massacre at Bear River did not completely end hostilities between the American Indians of the region and the settlers, emigrants, and miners. However, the fact that the army could punish an entire village of people for the crimes of a few persuaded Indian leaders that they could not hope to obtain justice except on the terms of the Indian agents. In the months and years immediately following the massacre, a series of treaties with many bands of Shoshones, Paiutes, and Utes were negotiated. Of some significance is the fact that Brig. Gen. P. Edward Connor was a signatory to five treaties with these groups in 1863 alone. Reservations were created by these treaties, but in certain cases, such as with the Fort Hall Reservation, executive orders further defined reservation boundaries.

At the beginning of the reservation period, as had always been the case, there was a

great deal of geographical mobility by the bands, groups, and “tribes” who interacted in many ways. Not all individuals were represented in the negotiations, and not all individuals chose to settle on the established reservations. Many Shoshone people living in what later became Idaho agreed to settle on the Shoshone-Bannock Reservation at Fort Hall in the late 1860s and early 1870s, but others stayed on their traditional lands of southeast Idaho and northern Utah.

While the series of treaties and agreements in 1863 left the Cache Valley as Shoshone country, the second treaty of Fort Bridger in 1868 ceded the valley to the government of the United States. Certain individuals today still contest the authority of Shoshone signatories to cede those lands, but they did in fact pass into private ownership after 1868.

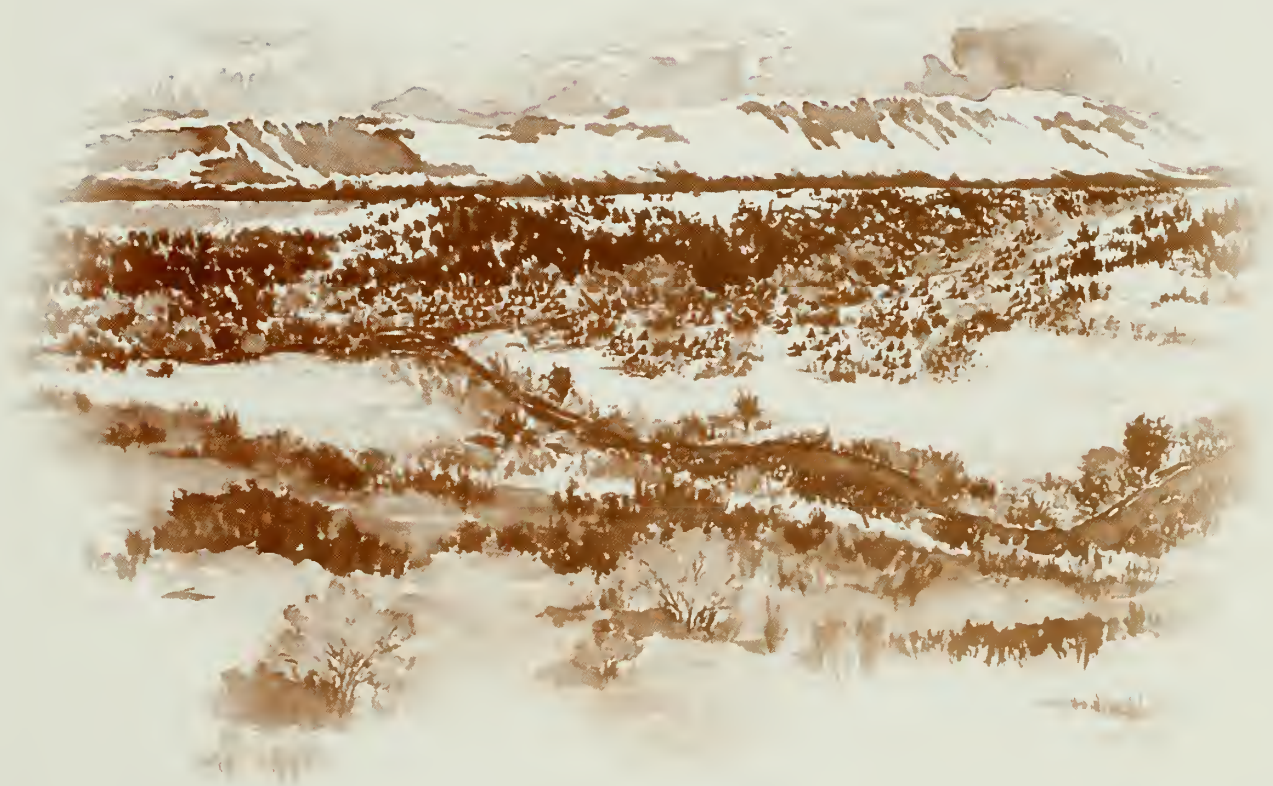
After the massacre, the people left from Bear Hunter’s and Sagwitch’s bands dispersed among the other Shoshone bands, some settling on the reservations established under treaty, and others living among the LDS pioneers and attempting to acquire legal title to land through homestead laws. American Indians were ineligible to homestead land because they were not regarded as United States citizens until 1924.

A number of these survivors and descendants settled in an area known as Washakie, on land held in title by the LDS church. Many of them became members of the church, farmed the land, and lived on it in much the same way as their LDS neighbors. By the 1960s, the LDS church gave this group of Shoshone 186 acres of land in Utah. This land was rolled into tribal trust in 1986.

The Northwestern Band of Shoshoni Nation is a group of people largely descended from survivors and near relatives of survivors of the massacre at Bear River, and are comprised of people who did not choose to settle on the Fort Hall, Wind River, or Duck Valley reservations. While they had been recognized as a tribal group as early as 1971 in an adjudication under the Indian Claims Adjustment Commission Act, the tribe did not receive federal recognition from the Department of the Interior until 1980. Today, most of the Shoshone descendants of

survivors of the massacre are members of four federally recognized tribes — the Northwestern Band of Shoshoni Nation, the Shoshone-Bannock Tribes of the Fort Hall Reservation, the Shoshone-Paiute Tribes of Duck Valley, and the Shoshone Tribe of the Wind River Reservation. Other relatives may be present on a number of reservations of the Shoshone and Paiutes in Nevada. The preponderance of descendants are members of the Northwestern Band and live in northern Utah and southern Idaho, away from their reservation.

affected environment



CULTURAL RESOURCES

Cultural resources consist of historic sites, properties, and other aspects of the human environment that have special value to the nation's cultural heritage. At the Bear River massacre site, a number of site locations have historical and cultural significance. In addition, the cultural landscape and the story of the massacre are considered resources worthy of special recognition.

- the ground where Colonel Connor brought up and deployed reinforcements
- the massacre field where the Shoshones sought to escape
- and the Daughters of the Utah Pioneers monument

HISTORIC SITES

The Bear River Battleground was listed in the National Register of Historic Places on March 14, 1973. The secretary of the interior designated the Bear River Massacre Site National Historic Landmark on June 21, 1990. At the present time, all cultural resources that are recognized to be of national significance are enumerated in the national historic landmark nomination form. They include the following:

- most of the site of the Shoshone encampment
- the escarpment south of Bear River where the California Volunteers reconnoitered the village preparatory to attacking (called the Soldiers' Overlook in this study)
- the ford where the soldiers crossed the river
- the Battle Creek ravine and hollow
- the area where Major McGarry's battalion initially engaged the Shoshone and where most of the soldiers' casualties were incurred

THE MASSACRE FIELD

The massacre field has special cultural significance for the Shoshone, who regard it as a sacred burial ground. Historic accounts suggest that the bodies of slain Shoshone were left unburied where they fell. As many as five years after the massacre, a journalist reported seeing human remains lying on the field. During the 1910 construction of an irrigation canal through the field, human remains were reported. In 1911 a combined flood and landslide covered much of the area, effectively sealing any remains that could have been affected by later plowing, irrigation, or minor surface disturbance of the massacre field.

There may be other cultural resources in the vicinity of the massacre site that have a relationship to the massacre event or that may need special protection. No one has systematically inventoried the sites, structures, objects, landscapes, or natural resource features in the vicinity that have traditional legendary, religious, subsistence, or other significance in the Shoshone cultural system. Without knowledge of their existence, landowners or future land managers are not able to protect these resources.

THE ORAL TRADITION

Another resource of importance associated with the Bear River massacre site is the story itself. It has already been preserved in historic accounts and archives, but that source of information consists almost entirely of military records, newspaper accounts of the period, and eyewitness accounts of settlers and soldiers. These records do not adequately portray the Shoshone perspectives of the massacre. Many Shoshone families have passed personal family histories of the massacre from grandparent to grandchild, but few of these stories have been recorded. This oral tradition is widely recognized as an important source of historical information in danger of being lost. No concerted efforts are currently being made to collect and record the Shoshone versions of what happened.

The preservation of the stories from the viewpoints of all participants in the massacre is an important purpose of all alternatives presented here. Improving the way the story is preserved, interpreted, and disseminated to the public is one of the goals of this special resource study, regardless of how the site is ultimately managed. Under the auspices of the national register listing and the national historic landmark program, which is the only source of protection currently offered, there is no special provision for the protection of the story or for its transmission to future generations.

ARCHEOLOGICAL RESOURCES

The confluence of Battle Creek and Bear River was the location of a succession of winter camps for hundreds, perhaps thousands of years. Archeological remains of

those encampments contribute to an understanding of why the massacre took place at that particular location.

There appear to be no visible archeological remains in the plowed fields near the heart of the massacre site. Private collectors may have removed any surface remains through the years, although it is likely that a few remains would surface in a plowed field after every rain storm if they were there. The lack of artifacts suggests that a slide and/or flood in 1911 may have buried the remains of the 1863 encampment and all previous ones, and that they are below the plow zone. If so, they are relatively well protected against all but deliberate excavation.

There is only one archeological site in the National Register of Historic Places in Franklin County: the Weston Canyon Rockshelter, located about 32 kilometers (20 miles) to the west of Preston. Well-stratified archeological deposits at that site indicate that people have lived in the area for at least 8,000 years. Excavations of that site have yielded most of the information on the prehistory of southeastern Idaho that currently exists. A cave site near Franklin, Idaho, may have had comparably significant deposits, but it was excavated by an avocational archeologist who, in a written report on his findings, regretted that he did not have the skills or scientific techniques to interpret his findings in the context of the prehistory of the area.

Only two other archeological sites have been recorded in Franklin County. Both are small lithic scatters with only limited potential to yield important information about prehistory.

There have been no systematic archeological surveys of Franklin County, so it is difficult

to determine just how many or few resources are in the area. Given the current knowledge of the historic use of the area by Shoshone people, it is likely that there are significant archeological sites in the vicinity.

THE CULTURAL LANDSCAPE

The study area is in a semiarid, rural agricultural and ranching region. The main topographic features in the central part of the study area are the northeast to southwest trending Bear River floodplain and the Battle Creek drainage that flows into Bear River from the northwest. Both sides of the floodplain are bounded by steep bluffs.

At the time of the massacre, dryland grasses and sagebrush covered the terrace above the river. Junipers dotted the western bluffs. The river floodplain consisted of native grasses, and willow shrubs crowded the banks of the river and the floodplain of Battle Creek. These shrubs were so thick that Colonel Connor reported the Shoshone had "constructed" impenetrable breastworks along the creek edge. The Shoshone used the thickets of willows for protection from winter storms, and as building materials for their lodges.

Only limited evidence of this original landscape remains. The river has meandered south and east of its original course. The impenetrable willow thickets have been replaced by airier Russian olives and open fields. The changed river course and the construction of a state highway have caused Battle Creek to run farther south than it did originally. Slumping of nearby bluffs and the flooding of Battle Creek has changed the character of the creek bed so that the site visitor may have some difficulty imagining how the vegetation affected the sequence of

events during the massacre without interpretive aids.

The Bear River lowland within the national historic landmark boundaries currently contains irrigated farmland, 12 buildings, the West Cache Irrigation Canal, and several roads. U.S. highway 91 runs north to south through the study area. The terrace on the west side of Bear River contains a large power line running north to south. Outside the boundaries of the national historic landmark, but still within its viewshed lie the Bear River-Portneuf Ranges to the east and the Bannock Range to the west. The various buildings, irrigation canal, power lines, roads, irrigated fields, and fences built to support residents in the area have influenced the visual character of the study area to a minor extent and do not contribute to the national significance of the resources associated with the massacre.

Despite the changed use of the landscape, the overall land forms remain the same. With minimal orientation, the site visitor can see the Battle Creek drainage; Cedar Ridge, over which a few Shoshone escaped; the Soldiers' Overlook, from which Connor's troops descended; and the general area of the massacre field. Especially when viewed from one of the surrounding bluff areas, the agricultural land and modern developments do not detract from the visitor's understanding of the sequence of events.

In fact, the agricultural landscape is the legacy of the massacre. The removal of Shoshone from their traditional homeland eventually led to the settlement of the upper Cache Valley by people making a living by farming. The highway is the modern descendant of the Shoshone Trail, Montana Trail, and later railroad lines that passed through the area. The features of the modern

landscape can be traced directly back to what happened at this place in January 1863.

Three of the four alternatives presented in this study retain the landscape as it now appears. The fourth provides a means by which portions of the site could be returned to its appearance at the time of the massacre.

INTANGIBLE CULTURAL RESOURCES

It is important to understand that the Bear River massacre has a special meaning to

Shoshone people above and beyond the tangible piece of land that contains physical resources. The site symbolizes much of their history as a people, is a crucial element of their identity, and defines their relationships with non-Indians. The event and the site that symbolizes it have far deeper and more complicated associations to Shoshones than to any non-Indian. To the descendants of the people who were at Bear River on January 29, 1863, this piece of land embodies much of what it means to be a Shoshone.

NATURAL ENVIRONMENT

REGIONAL SETTING

Cache Valley, a north to south trending elongated basin in southeastern Idaho and northeastern Utah, lies in the Great Basin Physiographic Province. The valley is approximately 24 kilometers (15 miles) long and 40 kilometers (25 miles) wide and covers an area of 564 square kilometers (350 square miles). Mountain ranges bound the valley on all sides, with the South Hills on the south; the Wasatch, Malad, and Bannock ranges on the southwest, west, and northwest, respectively; the Portneuf Range on the north; and the Bear River Range on the east. These mountains rise from the valley floor to elevations of about 2,697 meters (8,850 feet). Alluvial fans, river terraces, and ancient delta deposits flank the mountain fronts and slope gently toward the center of the Cache Valley. The centrally located Bear River drains the valley toward the south.

GEOLOGY

Cache Valley was formed about 20 million years ago when faults down-dropped land in what is now Cache Valley and uplifted the surrounding areas. These faults are present in the subsurface beneath valley fill deposits. The subsurface faults act as conduits that bring hot water from deep within the earth. Water from the subsurface forms natural hot springs along Bear River, such as Battle Creek (Wayland) Hot Springs and Squaw (Sagwitch) Hot Springs. Wells have been drilled in the area to try to tap this source of geothermal energy.

The main force shaping the surface geology of Cache Valley during the last 600,000 years has been the presence of Lake

Bonneville. An embayment in Lake Bonneville covered most of Cache Valley. Delta deposits derived from this ancient lake cover much of the valley floor and the lake's shoreline features are evident along the valley's perimeter. Surface deposits in Cache Valley are made of these deltaic sediments and consist of sands, shales, and clays. About 13,500 years ago, a natural dam at Red Rocks Pass (northwest of the Bear River study area) failed, draining much of the water from Lake Bonneville. Today, all that remains of this ancient lake is the Great Salt Lake. Since the withdrawal of Lake Bonneville, Bear River has eroded about 34 meters (100) feet into these deltaic deposits. The central part of the valley contains deltaic deposits and other sediments reworked and deposited after Lake Bonneville withdrew from the area.

Geologic hazards exist in the sediments along the terraces adjacent to Bear River. Slumping and landslides have occurred in the unconsolidated deltaic deposits, usually during periods of high precipitation. Water tends to concentrate in the coarser-grained delta deposits. As hydraulic pressure builds up, the deposits slip along the finer-grained clay layers. The meandering of the river has also destabilized the slopes and caused slumping. Landslides can be identified by their hummocky appearance and can be seen throughout the Bear River study area.

Since the early 1900s, irrigation of the lands above Bear River has increased the frequency of landslides. Slides and slumping have occurred many times since the massacre, diverting Bear River and possibly burying parts of the massacre site. One such landslide occurred in 1911, which destroyed the irrigation canal that had been built a short time before, and filled in some swampy

land near the confluence of the creek with the river. Another landslide required rerouting a portion of U.S. highway 91 north of Preston in 1993. Buildings and roads can be safely constructed on these deposits, but must be designed appropriately and situated back from the edges of the bluffs to reduce the threat of these potential geologic hazards.

There was a lot of snow and slush and it made an awful lot of water that came roaring down. The flood washed away the West Cache Canal that extended across the creek and carried the dirt down below. Anyway, that big swamp [south of the Winn home] got covered up — it made a pretty good farm for Will Carter. A description of the 1911 flood in a 1980 interview with Herber Winn, whose grandfather was the first settler on the Bear River massacre field. He did not witness the flood but was in Preston at the time (Hart 1982:182).

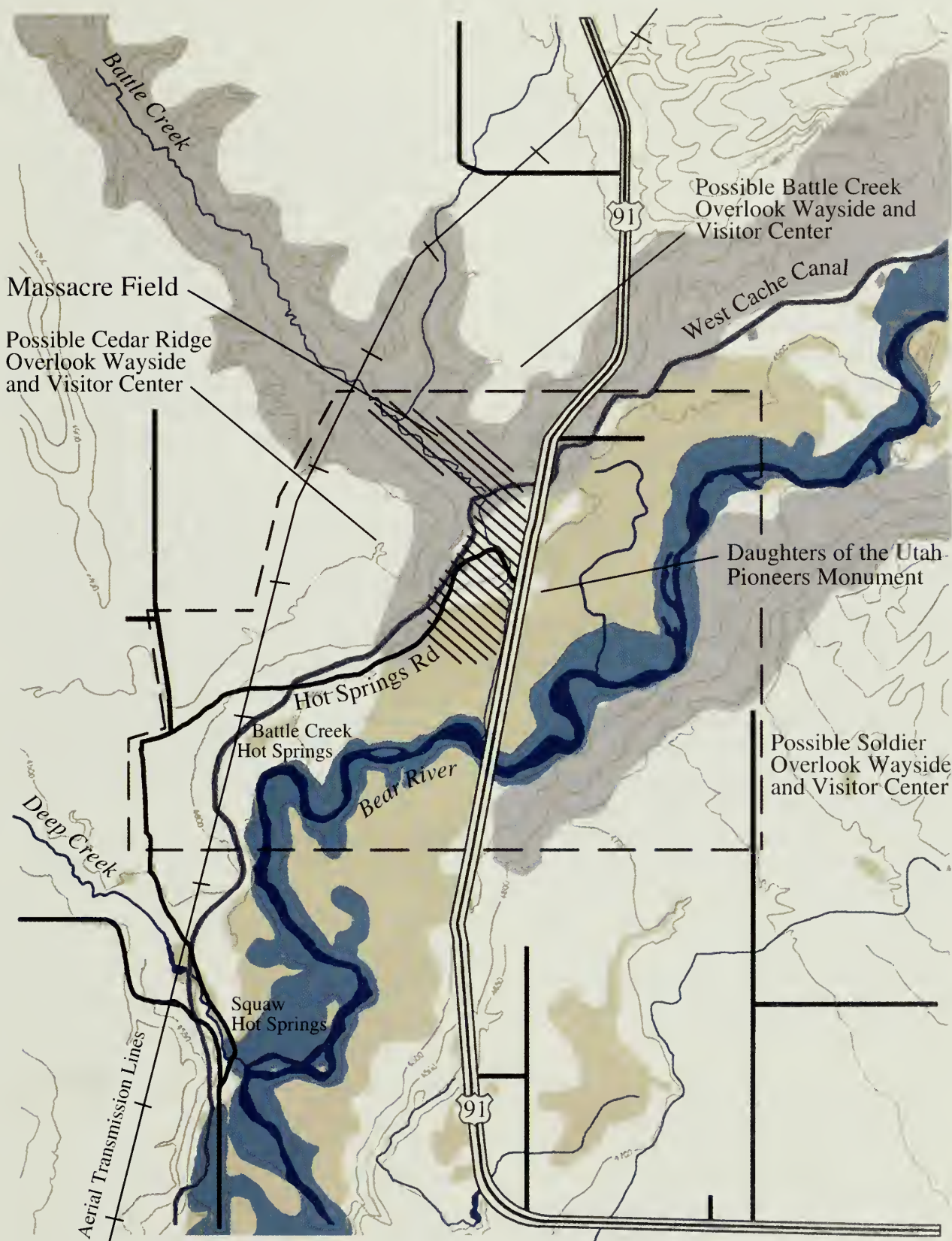
separate fields on the valley floor. Livestock raised in the area include cattle, sheep, pigs, and horses.

Other land cover types in the valley include riparian scrub, wetlands, and open water. National Wetlands Inventory maps show that most wetlands are within low lying areas within the Bear River and Battle Creek valleys. Isolated wetlands are also found near springs or seeps from irrigation channels. Wet areas growing mostly grasses and grasslike plants cover large areas of the valley floor. Typical native plants growing near springs, seeps, and riparian areas by Bear River and its tributaries include willows, shrubby cinquefoil, chokecherry, cottonwood, cattails, cinquefoil, clovers, grasses, and grasslike plants. Russian olive, a nonnative species, dominates many wet and riparian areas. Regulatory wetland boundaries as defined by the Army Corps of Engineers and the Environmental Protection Agency for implementing section 404 of the Clean Water Act have not been mapped.

BIOLOGICAL RESOURCES

Cold, snowy winters and hot, dry summers characterize the climate at the Bear River massacre site. The average annual rainfall ranges from 12 to 16 inches. Native species, including basin big sagebrush, Utah juniper, rabbitbrush, antelope bitterbrush, and grasses comprise the primary native plant community and cover the steep valley slopes. Agricultural fields, including irrigated grain crops on the flat terraces above the valley, and pastures and hayfields of grasses and alfalfa on the valley floor have replaced most of the native plant community. Rows of Russian olive growing along fence lines and ditches typically



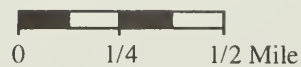


NATURAL RESOURCES

Bear River Massacre Site

National Park Service/U.S. Department of the Interior

DSC/May 95 · 903/20,110



The varied topography and land cover types in the study area provide habitat for many different wildlife species. Information on the distribution and abundance of these is limited for the site. The bald eagle and peregrine falcon are the only federally listed endangered or threatened wildlife species that may appear in the study area. Trumpeter swans, pygmy rabbits, and northern sagebrush lizard, candidate species, may also appear in the area. Two other candidate species, the white-faced ibis and black tern, are found northwest of the study area in the northwest portion of the Oxford Slough National Wildlife Refuge. These seven species are also protected by the state. Neither the Idaho Department of Fish and Game nor the U.S. Fish and Wildlife Service have identified federal or state-listed plant species in the study area.

AIR AND WATER RESOURCES

The visual quality of air in the west-central United States, including southern Idaho, is generally the best of anywhere in the country (Sisler et al. 1993). Air quality near the massacre site is very good due to the low population density and lack of large emission sources near the study area. The massacre site is within a class II area, an air quality designation used to control air pollution under the Clean Air Act.

Surface water quality of Bear River and Battle Creek is influenced by nonpoint runoff from agricultural fields, as well as water diverted from Bear Lake where concentrations of dissolved solids are very high. Most water components tested in the Bear River have been within state water quality criteria for designated uses.

Groundwater comes from both cold and thermal sources. Cold groundwater is used for drinking water and typically has high concentrations of dissolved minerals. Water from several geothermal wells in the area has temperatures ranging from 43.9°C (111°F) to 110.0°C (230°F) and is highly mineralized. Geothermal wells are typically used for recreation or heating. Battle Creek (Wayland) and Squaw (Sagwitch) hot springs, with temperatures ranging from 72.8°C (163°F) to 83.9°C (183°F), have the hottest natural spring water in Cache Valley.

The Battle Creek (Wayland) Hot Spring consists of one large pool about 6 meters (20 feet) in diameter, a smaller pool, numerous vents, and seeps. The vents are marked by gas bubbles in the river bed. This spring system is located on the western edge of Bear River a little over 1 kilometer (3/4 mile) downstream from the confluence of Battle Creek. These waters have been used for recreation within the last century.

Squaw (Sagwitch) Hot Springs are located about 1 kilometer (0.6 mile) south of Battle Creek (Wayland) Hot Springs near the confluence of Deep Creek and Bear River. This system consists of one well, four other vents, and several seeps. Discharge from the well is forming a small travertine mound. The well and springs vent minor amounts of gas. These springs were formerly used for recreation and heating (Mitchell 1976).

The base floodplain, which was mapped by the Federal Emergency Management Agency, covers low-lying areas along the Bear River. Flood hazards along the Bear River are minimal because of the diversion through Bear Lake, the Oneida Narrows Dam, and irrigation diversion of moderate flood flows. Some areas along Battle Creek

are potentially hazardous for flooding. In this part of Idaho, summer thunderstorms can produce large quantities of precipitation in a localized area that cause flash flooding in small drainages like Battle Creek. The unstable nature of the steep slopes along Battle Creek increases the hazard. A landslide combined with a flood event could be extremely destructive. The landslide/flood event in 1911 destroyed the irrigation canal that had been built a few years before, and filled in some swampy land near the confluence of the creek with the river.

The status of any existing water rights in the study area is unknown. If development occurs under any alternative, water rights would have to be acquired according to Idaho state water law and administered under state jurisdiction.

The diversion dam for the West Cache Irrigation Canal is a low head, concrete, gated structure located on private property approximately 1 kilometer (3/4 mile) northeast of the national historic landmark

boundary. The dam is privately owned and maintained by stockholders of the West Cache Canal Company.

HAZARDOUS MATERIALS

No hazardous materials were observed during visits to the area, and none was reported by Preston area officials who met with NPS representatives. The chemicals that have been detected in the Bear River are within state water quality criteria for its designated uses. In alternatives that involve NPS acquisition of land or easements, a level 1 preacquisition survey would be undertaken to verify that there are no hazardous materials present.

Several private dumps have been identified in the study area. It is not known whether they contain hazardous substances. Prior to federal acquisition of any of these properties, all hazardous material would need to be remediated according to applicable state and federal laws.

SOCIOECONOMIC CONDITIONS

REGIONAL OVERVIEW

The Bear River Massacre Site National Historic Landmark is in the south-central part of Franklin County, Idaho. Lands in this area are primarily used for agriculture, with the main products being livestock, poultry and dairy products, sugar beets, corn, potatoes, grain, and alfalfa. Most of Cache Valley lies in Idaho, but 80% of its residents live in Utah. Logan, lying 44 kilometers (27 miles) south of Preston and at the southern end of the valley, with a population of 32,762 persons, is the largest city in Cache Valley. Since its settlement in the late 1850s, it has served as the center of commerce for the area. Towns in the Idaho portion of Cache Valley are small, ranging from 625 in Franklin to 3,850 persons in the county seat of Preston (1990 U.S. Census Data).

The quality of life, wide-open spaces, and relatively inexpensive land prices have resulted in rapid population growth throughout southern Idaho in the last several years. Franklin County's population increased 3.78% from 8,895 persons in 1980 to 9,232 in 1990. It is estimated that from 1990 to the year 2000, the population will grow to approximately 10,800 persons, an increase of approximately 17% (CACI Marketing Systems and the County and City Data Book). One indication of the rapid population growth in the county is the tripling of building permits during the last three years.

The primary occupations in the county are farming, precision production, craft and repair occupations, and machine operators, fabricators, and laborers (1990 U.S. Census

Data). The median household income in the county for 1989 was \$25,414.

Much of the agricultural land on the flat terraces above the valley and on the valley floor have been designated prime farmland by the Natural Resources Conservation Service (formerly Soil Conservation Service) according to 7 CFR 657. These areas are so designated because they have the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, and oilseed crops.

No agricultural land in the study area has been designated unique, which are lands used for the production of specific high value food or fiber crops. Federal agencies are required to analyze the impacts of their actions on agricultural lands. This policy was developed to minimize the effect of federal programs in converting prime or unique farmland to nonagricultural uses.

VISITOR USE

Southeast Idaho is rich in history and natural beauty and draws visitors who appreciate outdoor recreational activities and visiting historic sites. U.S. highway 91, which passes through the site, has been designated an Idaho Pioneer Historic Route, and can be used as an alternate route of travel to Interstate 15 (I-15) between Salt Lake City, Utah, and Pocatello, Idaho. Travelers to destination parks and areas of recreation, such as Yellowstone and Grand Teton National Parks and Craters of the Moon National Monument, can drive past the site with only a minimal deviation from interstate travel. I-15 is located about 27 kilometers

(17 miles) to the west. A scenic diversion through the lush Cache Valley is only 26 kilometers (16 miles) longer than the interstate route through the high desert of northern Utah and southern Idaho.

EXISTING BEAR RIVER VISITATION

A market analysis of the Bear River Massacre Site National Historic Landmark defined the current market share and estimated future visitor numbers, as shown below. The first part of the analysis defined the geographic area likely to contribute visitors and the type of person that would be interested in visiting the site (data collected from CACI Marketing Systems computer database). Visitors may come from all over the world, but most would originate in the regional market that was defined in this analysis. This information was then adjusted for the average time that a person would

be willing to travel to visit the site. Present and potential future sightseer markets and their respective market shares were then approximated.

Visitation to the Bear River massacre site is limited by the lack of interpretive facilities at the site and publicity about the site in regional tourism centers. Despite these limitations, many visitors still find their way to the landmark (see table 3). Unscheduled tours are given by local residents to approximately 1,500 to 3,000 people per year. Based on the observations of these tour leaders and nearby residents, it is estimated that one to five cars stop at the monument per day during the low season and 20 to 30 cars daily during the five-month peak tourist season. With the unscheduled tours and an average of 2.5 people per car, it is estimated that between 9,633 and 17,063 people visit the site annually.

**TABLE 3: ESTIMATED CURRENT ANNUAL VISITATION
BEAR RIVER MASSACRE SITE NATIONAL HISTORIC LANDMARK**

Visitation	Low Estimate	High Estimate
Tours	1,500	3,000
Low Season Visitation - October through April* (1 to 5 cars/day)	533	2,663
High Season Visitation - May through September* (20 to 30 cars/day)	7,600	11,400
Estimated total current visitation	9,633	17,063

*Visitation estimate is based on 213 days in low season, 152 days during high season, and 2.5 persons per car. Seasonality was determined by comparing monthly visitation at other national park service areas and American Indian sites in the region.

Based on an adjusted regional market of 594,787 persons and the above estimates of current visitation the current market share at the Bear River site ranges from 1.6% (9,633 visitors) to 2.8% (17,063 visitors). As shown

below, with the construction of visitor facilities and NPS designation, possible future visitation could reach as high as a 14% market share.

VISITATION FORECASTS

Possible future visitation at Bear River massacre site has been compared to visitor use at the following four sites in the regional area that have an American Indian theme.

Knife River Indian Village National Historic Site, North Dakota

Open for 18 years, the site received 17,750 visits in 1994. It is 64 kilometers (40 miles) from I-90 and 97 kilometers (60 miles) from Bismarck. The site interprets Plains Indian culture and is comprised of earthlodge dwellings, archeological remains, and a moderately sized visitor center. The state promotes the site at a low to moderate level.

Nez Perce National Historical Park, Idaho

Open 27 years, this site received an average of 258,805 visits per year from the years 1992 through 1994. The headquarters area is located on U.S. highway 12, 88 kilometers (55 miles) from I-90 and 16 kilometers (10 miles) from Lewiston, Idaho. It has a small visitor center, and interprets both the Nez Perce and Lewis and Clark National Historic Trails, along with Nez Perce culture. According to the park staff, visitation is strongly influenced by highway signs. Except for the printing of brochures, promotion is conducted by local businesses, cities, and the state.

Big Hole National Battlefield, Montana

Open 23 years, this site's visitor center received 64,015 visitors in 1994. Now listed as a unit of Nez Perce National Historical

Park, it is located 97 kilometers (60 miles) from I-15 and I-90, and 161 kilometers (100 miles) from Missoula. There is a small visitor center and museum, which interprets the battlefield site and the Nez Perce trail. There are only a few highway signs. Except for the printing of brochures, promotion is done primarily by the state.

Little Bighorn Battlefield National Monument, Montana

The area consists of a national cemetery established in 1879 and a national monument established in 1934. It is located on I-90, 88 kilometers (55 miles) from Billings, Montana. Averaged over the years of 1992 through 1994, 354,355 persons a year have visited the monument. The monument includes a visitor center and museum, and tours of the battlefield are offered. Promotion by the state and general public recognition are high.

Visitation at these four sites ranges from 17,750 to 354,355 persons. The most visited sites are those that have had facilities longer than 20 years, are marketed quite heavily (either by the managers of the site or by a third party such as a state), and lie in an area enjoying high existing tourism. Parks that have facilities such as a visitor center, interpretive signs, picnic areas, and restrooms also experience more visitation than other areas. The Bear River Massacre Site National Historic Landmark is not well known in the region and has no developed interpretive facilities, so it is likely that visitation in the immediate future would be closer to the low to mid-range of these numbers rather than the upper range.

The NPS projected future visitation based on the visitor market analyses for Bear River

Massacre Site National Historic Landmark and other national park units. An average travel time of 3.5 hours to Bear River Massacre Site National Historic Landmark was estimated using travel times of visitors willing to travel to see the park and market shares at national park system units (see table 4). With increasing population, the

total market share (adjusted for distance) at Bear River should increase to 779,517 in 2003 and 859,298 in 2010. The NPS data above indicate that more publicity and the construction of facilities at the site could increase the visitation to approximately 14% of the total market, with a projection of up to 120,300 visitors in 2010.

TABLE 4: MARKET SHARE AND AVERAGE TRIP DISTANCE FOR SELECTED NATIONAL PARK SYSTEM UNITS AND THE BEAR RIVER MASSACRE SITE*

NATIONAL PARK SYSTEM UNIT	MEAN DRIVING TIME IN HOURS	MARKET SHARE %
Chaco Culture National Historical Park	4.1	7.8%
City of Rocks National Reserve	3.5	14.0%
Bear River Massacre Site National Historic Landmark	3.5	14.0% (estimate)
Wupatki National Monument	4.6	14.8%
Crater Lake National Park	5.7	14.9%
Grand Canyon National Park	--	15.3%
Bandelier National Monument	3.9	39.7%
Mesa Verde National Park	5.4	50.8%

* Data was gathered from visitor surveys, census data, and national demographic and lifestyles, and analyzed by Al Galipeau at the National Park Service.

The parks listed in table 4 were selected from a set of data for which a formal market analysis has been completed. None of the park units used for comparison represents a historical period or theme similar to Bear River, but several sites such as Mesa Verde, Wupatki, Chaco Culture, and Bandelier have an American Indian theme. These areas are all located in sparsely populated areas of the western United States. City of Rocks National Reserve is used for comparison because it is geographically close to the Bear River site and is located in a similar rural setting.

Based on this analysis, and presuming an NPS designation of the site, it is predicted that the Bear River massacre site visitation would increase from an annual figure of 13,000 in 1997 to about 120,000 people by year 2010. The visitation would be somewhat lower for a state or local designation, because the NPS designation would result in greater national publicity and name recognition.

REGIONAL RECREATIONAL OPPORTUNITIES

The Bear River Massacre Site National Historic Landmark is centrally located for a wide variety of outdoor recreational opportunities. The area is surrounded by Caribou National Forest, which offers hiking, camping, wildlife watching, horseback riding, mountain biking, hunting, fishing, snowmobiling, cross-country skiing, snow-shoeing, and many other outdoor experiences. Cub River Canyon, southeast of Preston, provides a mountain camping experience. Riverdale Resort, located 8 kilometers (5 miles) to the northeast of Preston has a waterslide and mineral hot pool. Public and private hot springs (e.g., Riverdale Resort and Lava Hot Springs) are located throughout the area. Bear Lake, a 28,700-hectare (71,000-acre) lake located east of the landmark provides visitors with a variety of water-related activities. Bear Lake National Wildlife Refuge is located on the north side of the lake. Downhill skiing is accessible to the south near Logan and Salt Lake City, Utah, and to the northwest near Inkom, Idaho. Logan Canyon (to the south) offers excellent rock-climbing opportunities. Yellowstone and Grand Teton National Parks and Craters of the Moon National Monument are also located within a several hours drive from the site. Numerous other open spaces, lakes, and reservoirs offer for a variety of outdoor experiences.

Besides outdoor recreation, there are many opportunities to experience the rich cultural and historical heritage of the area. U.S. highway 91, which runs next to the massacre site, has been designated a Pioneer Historic Route and many historic towns and sites can be visited while traveling along this road. Franklin, the oldest town in Idaho, has a historic district listed in the National

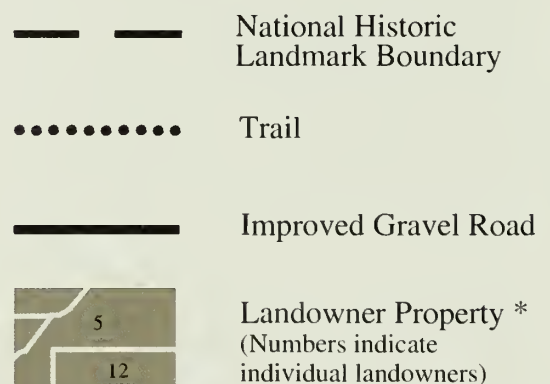
Register of Historic Places, and a local historical museum that showcases Idaho pioneers. Signs have also been erected along state highways that identify significant historic sites, such as the Oregon Trail and other resources.

Many other cultural attractions are also available in the region. Larger cities such as Logan, Salt Lake City, and Pocatello have art museums, dance programs, concerts, and theater productions.

LANDOWNERSHIP

All land within the national historic landmark boundaries is privately owned by 28 different owners. Most are owner-residents. Parcels range in size from 0.35 to 204 hectares (0.86 to 503 acres).

Current county zoning for the area places emphasis on agricultural uses, but that does not prohibit the development of other types of use. For instance, a trailer park has been developed on the east side of the highway just north of the south border of the national historic landmark.



*Shaded area is the extent of landownership information



LANDOWNERSHIP

Bear River Massacre Site

National Park Service/U.S. Department of the Interior
DSC/May 95 · 903/20,111



NORTH



0

1/4

1/2 Mile

INTERPRETIVE FACILITIES

At the present time, the Bear River Massacre is commemorated with a monument bearing three plaques and a sign placed by the Idaho Department of Transportation. The monument is composed of stone taken from around the world, each one having special significance to the donor. Few of the stones are from the vicinity of the massacre site. The monument is topped by a concrete representation of a Shoshone lodge. An American Indian metate (grinding stone), probably from the southwestern part of the United States, is incorporated into the south face of the monument.

The three plaques were each added at different times. The first two were placed in 1932 and 1952 by the Daughters of the Utah Pioneers and other organizations, the descendants of pioneers who settled the area after the massacre. The language on these plaques reflects the significance that the event had for the people who erected the monument; by removing the original inhabitants of the Cache Valley, the land was opened for settlement by agriculturalists.

These two plaques refer to the conflict as a battle, enumerate the wounded and killed soldiers, and commemorate the aid given to the wounded soldiers by the people of Franklin. The earlier plaque includes a number of statements that are contested by Shoshone descendants and some historians. There is objection to the characterization of the estimated 90 women and children killed in the "battle" as combatants, to the implication that the encounter was instigated entirely by hostile attacks by Indians on emigrants and settlers, and to the lack of recognition of the Shoshone reasons for the earlier conflicts and a lack of

acknowledgment about the part that settlers, emigrants, and miners played in provoking those conflicts.

The later plaque mentions that two Indian women and three children were given homes in Franklin after the battle. Some Shoshone people feel that the help offered to these victims, and the accolades given to the settlers for doing so, diverts attention from the greater tragedy of the massacre itself.

The third plaque was added by the National Park Service in 1990, with the permission of the Daughters of the Utah Pioneers. It commemorates the site as a national historic landmark and contains standard language acknowledging its national significance and its characterization as a massacre.

Interpretation has recently been enhanced by a sign that was erected by the Idaho Department of Transportation near the Daughters of the Utah Pioneers monument. The sign is large and is intended to be read from the window of a stopped vehicle. The three sentences on the sign are more balanced than the plaques in their interpretation of the massacre, but still lack any historical contextual information. Directly next to it is a similarly sized sign that interprets the Utah and Northern Railway that passed through this area in the 1880s.

None of the interpretation at the site includes a geographical orientation to the features of the national historic landmark. The site visitor does not know where the Shoshone village was located, how troops moved about the site, or how the few survivors escaped.

Interpretation is enhanced by the personal services of volunteers from local history organizations who occasionally lead school groups and other interested groups to the site, or speak to them at other locations. Recently, school groups have also visited the site from the Shoshone-Bannock Indian Reservation at Fort Hall. The quality and consistency of the messages no doubt vary with the knowledge and abilities of the volunteers.

The monument and highway signs are located on the edge of a rather large graveled parking lot owned and maintained by the Daughters of the Utah Pioneers. Two nearby landowners access their property

from the parking lot. The lot extends a few hundred meters (several hundred feet) farther to the south than is required for most visitor use in order to accommodate access by residents. The monument has been vandalized in recent years. In January 1995, someone sprayed the west side of the monument and the Department of Transportation sign with red paint. The Daughters of the Utah Pioneers were successful in removing most of the paint from the plaque and metal sign.

According to nearby residents, the lot is often used by truckers or campers for overnight parking. Trash accumulation is also a problem.

issues

desired futures



ISSUES AND CONCERNS

During public involvement phases of the scoping portion of this study, a number of issues were generated in meetings with the landowners, Shoshone tribal members and interested citizens in the Cache Valley (see the “Consultation and Coordination” section of this study for a list of participants and the dates of the meetings). The issues were refined during the public comment of the draft study. These issues formed a set of problems to be addressed by the various alternatives. Most issues tended to be related to resource protection, visitor experience, tourism, and site management.

RESOURCE PROTECTION

The site is currently protected by its designation as a national historic landmark. This designation is a special category of properties listed in the National Register of Historic Places. For the purposes of compliance with federal historic preservation law, a national historic landmark is treated much as any other national register property. In terms of protection against harmful effects, the landmark designation means that if a federal agency, through funding, permitting, licensing, or other approval, takes an action that could affect the landmark, then the agency involved must consider the effects of the project on the property. Under section 110(f) of the National Historic Preservation Act, if any such project would disturb or otherwise affect the site, then efforts must be made to mitigate any potential harm to the landmark.

Shoshone people are very concerned about protecting human remains that might still be buried on the massacre field. An Idaho state

law prohibiting the desecration of graves (Idaho Code 27-501 through 27-504) provides a legal mechanism for prohibiting people from disinterring, storing, displaying, or selling human remains discovered on private property within the landmark boundary. Some Shoshone people are concerned that there is little precedent as to whether the remains of people left unburied on the massacre field, but later buried by natural processes, are also protected by this law. The state law specifically refers to remains found in deliberately excavated graves.

A more powerful federal law pertaining specifically to burials, the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), defines “ownership” of human remains and certain types of artifacts, and lays out clearly defined legal procedures for the repatriation of these remains to lineal descendants or culturally affiliated groups of Native Americans. However, this law applies only to human remains discovered on tribal land or federally controlled or owned land, not private land. Even if a federal undertaking is responsible for a discovery, NAGPRA does not apply to privately owned land.

Because the cultural resources are owned by private parties at the present time, the auspices of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act are insufficient to protect the human remains that might be present on the massacre field. From the perspective of many Shoshone people, neither the state grave protection law nor the federal repatriation and historic preservation laws afford full legal protection for the

massacre field while it remains in private ownership. They believe that only federal ownership, through fee simple acquisition, or conservation easements, can adequately protect the remains of their ancestors.

THREATS TO THE RESOURCES

Physical threats to the cultural resources are of primary concern. The natural meandering and movement of the river is being affected by human actions upstream of the massacre site, including the use of water for irrigation and the impounding of the river for hydroelectric generation and flood control. Bank modification within the floodplain can also influence channel movement. Irrigation of land behind the surrounding bluffs, combined with the unique geology of the Bear River valley in this area, contributes to frequent slumping and sliding of surrounding bluffs.

An additional threat to historical, archeological, and ethnographic resources is excavation, either for the construction of structures such as buildings and roads, or the collection of artifacts. Neither activity is prohibited on private land, except for the deliberate excavation of human remains and associated artifacts under the state law. As stated earlier, the Shoshone are concerned that the state law might not protect the remains of people who were not placed in formally excavated graves. As all property is privately held within the landmark boundaries, there is substantial potential for loss of resources.

Impacts have affected the resource in the past. U.S. highway 91 bisects the landmark from north to south, and passes very close to the original location of the ford the soldiers used to cross the river. Hot Springs Road

and another unpaved road heading towards Battle Creek pass through the middle of the massacre field, where the bodies of slain Shoshone were left unburied. A large irrigation canal runs along the foot of the western bluffs, crossing Battle Creek as it enters the Bear River floodplain.

The area of southeastern Idaho is beginning to experience growth, especially from urban dwellers moving into rural areas to establish vacation or retirement homes. This growth, in the absence of local zoning, could adversely affect the use of the land. Many of the land parcels in the immediate vicinity of the massacre site are very small and would be conducive for the development of recreational facilities or residential subdivisions.

The history of past impacts, combined with the potential for new impacts from uncontrolled development, implies that without further protection, cumulative impacts may eventually destroy whatever may be left of the massacre field, the places of troop movements, 1863 encampment and its predecessors, and the cultural landscape.

COMMEMORATION

During the public scoping with Shoshone tribes, concern was expressed for commemoration of the Shoshone people who died in the massacre. The existing roadside monument was erected by descendants of Euro-American settlers who honored their ancestors and the soldiers who died as a result of the conflict. The Shoshone would like to see some sort of memorial to their ancestors. Much of the public comment on the draft study supported the idea of commemorating the Shoshone dead.

The form of this commemoration, however, was debated. To some, a monument similar to the one erected to the soldiers and settlers would be appropriate; other Shoshone people suggested that other forms of commemoration might be more appropriate, such as a quiet place of contemplation marked with a simple plaque, a statue, or other symbolic representation. For the purposes of this study, the form of the commemoration does not need to be defined. However, a memorial need not necessarily take the form of a traditional monument as now exists.

All publics appeared to agree that the existing monument is a fitting tribute to the soldiers and settlers of the area.

VISITOR EXPERIENCE

Most members of the public contacted during scoping for this study acknowledge that the story of the massacre as presented today is unbalanced and inaccurate. Certainly there is more than one perspective on what occurred and why, and the best way for the visitor to understand why such a tragic event happened is to tell as many different versions as possible. These versions should also be placed within the social and historical context of the times.

In the public meetings, it became clear that people who lived in the immediate vicinity of the site, as well as many of the Shoshone representatives, had a number of questions about the massacre itself. They felt that the present type of interpretation does not answer their questions and they do not know how to go about finding the answers themselves. Most of these questions can be answered with existing information; other questions would require additional studies,

especially of the oral history of descendants of survivors.

There is a common agreement that the current land use would not unduly interfere with the visitor experience, if it is kept the same. The rural character of the landscape requires only a minimum of imagination and orientation to understand the basic story of the massacre.

MASSACRE SITE ACCESSIBILITY

Landowners and residents of property within the landmark boundary are concerned that creation of a designated county, state, or NPS park would increase uncontrolled visitation to the site, violating their right to privacy, trespassing on private property without permission, creating social trails, disturbing livestock, and causing additional traffic on the narrow, unpaved county road that runs through the massacre site.

Shoshone people are concerned that visitors would not behave appropriately on the massacre field itself if allowed to visit it.

Finally, the Shoshone people would like to have access to the massacre field for the purpose of conducting appropriate ceremonies and cultural practices related to the massacre event without having to obtain the permission of landowners and/or tenants each time they wish to visit the site.

TOURISM

Issues dealing with tourism touch upon the visitor experience, and on site management issues (which follow). In particular, there is a perception that business people in Preston have much to gain economically by the

improved visitor experience at the massacre site, and that these gains would be at the expense of residents' rights and the cultural heritage of the Shoshone people.

As shown in the visitor use projections detailed earlier, facility development would probably result in an increase in visitation at the site. While welcoming the opportunity to inform more people about the tragedy of the event, the Shoshone are offended by the idea that business people in Preston could make money from increased tourism caused by the creation of a designated historic site.

As discussed in the section on accessibility above, both the landowners and Shoshone are concerned that further development of the historic site would attract visitors who might behave in an inappropriate or uncontrolled manner on the massacre field itself.

SITE MANAGEMENT

The way the resources and the land are protected and managed was of paramount concern to all publics contacted during

scoping. Residents and landowners in particular are concerned about becoming overburdened with government regulations, which could affect their way of life and the way they do their business.

Several landowners indicated that they would be willing to sell all or partial interest in their land if Congress chose to add the Bear River massacre site to the national park system. They were mixed on their preferred way of conferring interest. Some indicated that they would prefer to sell partial interest in the form of easements, but maintain ownership. Others expressed a desire to sell fee title. Some landowners wished to maintain all ownership, development rights, and unencumbered use of their land.

As discussed above, landowners, residents, and Shoshone people alike are concerned about access issues. All three groups would like to limit public access to most portions of the massacre field, either for reasons of privacy or to respect the sacred qualities of the area. In addition, Shoshone people desire access to the massacre field for their own traditional ceremonial or cultural purposes.

DESIRED FUTURES

A number of desired futures for the Bear River massacre site were expressed during public scoping. The emphasis of each depended on the special interests of each group. Each of the alternatives seeks to incorporate the desired futures of each group to some extent. Some alternatives achieve the vision of a given group better than others.

Preservationists and historians envision a designated site in which the national significance of the massacre is portrayed, and where cultural resources are protected from future development, souvenir gathering, and, to the extent possible, natural processes.

Local supporters, especially those represented by the Bear River-Battle Creek Monument Association, seek to inform the public of the massacre's special place in history and to improve its interpretation. They desire that visitors understand the troop movements, the location of the encampment, and where the various individual stories took place.

Shoshone people envision a place where their version of the massacre is presented in order to inform the public and their own people of what happened and why. They desire a recognition of the tragedy of the event, and a commemoration of the Shoshone people who were killed. They seek a place to renew their cultural heritage in ways directly connected to the massacre and what happened to them as a people. They envision a place in which other people are connected to the emotion of the event, in order to promote cultural understanding.

Landowners and residents envision a place in which none of the rights and privileges they enjoy as owners of property are compromised. In the future, government representatives and visitors to the site would stay off their property and not affect either their privacy or the way they live their lives. They seek a future in which their children can live the same way with the same values for the land they now enjoy.

These differing visions of the future of the Bear River massacre site are not mutually exclusive. They share the following commonalities:

- (1) All groups recognize that the story as currently presented is unbalanced, and that very little emphasis has been placed on the tragedy of the deaths of so many Shoshone men, women, and children. There is a common understanding that the quality of interpretation should be improved, and that the Shoshone viewpoint should be acknowledged.
- (2) All groups understand that the massacre on Bear River had some personal relevance to them. While the outcome was dramatically different with each group, the very fact that it happened affected what their lives are like today.
- (3) The two groups with the strongest investment in the site, the landowners and the Shoshone, seek a continuation of a way of life or a cultural heritage. The landowners do not wish to see their current use of the land change, or if it does, to have it change by their own initiative in response to changing

technology and the requirements of their businesses.

The Shoshone seek to continue a cultural heritage that has been endangered for some time. They view the massacre as an event, tragic as it was, that helps define them as a people who share a common heritage. Because it was a pivotal event in their own history, the story of the massacre can be used as a springboard from which they can rediscover their own past, their unique culture, and their threatened cultural heritage.

- (4) All groups view portions of the massacre field as a place where visitor access should be controlled. The Shoshone have expressed a desire for visitors to behave respectfully while on the massacre field. Landowners do not want visitors wandering throughout their fields, disturbing their livestock and crops or leaving gates open, among other concerns. None of the groups want visitors digging in the massacre field looking for souvenirs.

Patrick E. Connor was a coward and an unjust man through the eyes and minds of the northwest Shoshones. Several monuments stand at or near the scene of the massacre and all are dedicated to the military. The northwestern band wants to change the dedication. The Indians do not approve of the dedication to the soldiers. They feel that the dedication should be to the Indians who died there. Idaho Indians Tribal Histories, published by the Native American Committee, Idaho Centennial commission.

These commonalities, combined with an appreciation of the issues involved at the site, were used in constructing a succinct vision for the future of the Bear River massacre site. That vision is articulated earlier in the "Introduction" section of this study. The vision is synonymous with the projected purpose of a designated historic reserve or site.

description of alternatives



ACTIONS AND IMPACTS COMMON TO ALL ALTERNATIVES

COMMON ACTIONS OF ALTERNATIVES

The vision statement provided at the beginning of the "Introduction" section of this study provides a basis for actions that the National Park Service views as important to all alternatives. Portions of the vision statement are in inherent tension with other portions, such as the protection of cultural resources and maintaining the current use of landowners. For that reason, no one alternative satisfies all the desired futures of all parties. While different alternatives stress differing aspects of the vision statement, all alternatives seek to fulfill the vision, by providing for the following types of actions:

- protect cultural resources with authorities beyond those offered by the national historic landmark designation
- commemorate the Shoshone dead
- balance the story of the massacre by making Shoshone versions available to the visitor
- recognize the sacred nature of the massacre field
- allow Shoshone people access to the massacre field for the performance of appropriate ceremonies and cultural practices
- protect private property rights of landowners
- provide for the continued use of most of the land as agricultural
- provide an interpretive wayside along the highway that allows the traveler to learn the story of the day of the massacre in a short period of time

Resource Protection

Resource protection strategies vary within each alternative. However, in all alternatives, additional studies and inventories of cultural resources are proposed.

No alternative seeks to remove the Daughters of the Utah Pioneers monument. Clearly, it has special significance to the people of the Preston area, and to descendants of the pioneers. Furthermore, the monument is listed as a contributing structure on the national historic landmark form. However, most alternatives refocus the interpretation by placing additional waysides somewhat removed from the existing monument.

Visitor Experience

Under each alternative, and to greater or lesser degrees, visitors would have opportunities to:

- understand the primary stories relating to the Bear River massacre, and put them in a personally meaningful context
- visit the major sites involved in the massacre and the events preceding and following, and comprehend the events that happened there, while respecting rights of private landowners and other legitimate interests

- experience in their own terms the emotional impact of the massacre
- understand the points of view of various groups on the massacre: the Shoshone, soldiers, settlers, immigrants, and people today
- place the events relating to the massacre in an accurate 19th century context, and the history and interpretation of the massacre in context of current attitudes and perspectives
- find out about other historical, cultural, and recreational resources available that may be of interest, including where to go to see other sites associated with the events leading up to the Bear River massacre
- honor the memories of people who suffered or whose lives were taken during the massacre
- learn a sense of stewardship and support resource preservation
- appreciate and honor other cultures

Site Management

The way the site is managed is crucial to each of the alternatives. Only actions that would affect the resources of importance to this area would be controlled, and those controls would be developed in concert with the landowners. For instance, the impacts of hunting, trapping, and grazing probably pose no threats to the critical resources, so these activities would probably not be controlled outside of current state law. Further evaluations of their effects would be

required before a final determination of what activities normally prohibited within NPS areas would be allowed to continue.

Landownership

In all alternatives, fee simple land acquisition would be minimized. Wherever possible, land for the purposes of resource protection and visitor use would be acquired through the purchase of easements and/or development rights. To the extent possible, and while still maintaining the goals of resource protection, acquisition of land, either through easements or by fee simple, would be limited to willing sellers, as may be restricted by legislation. With the relatively high number of landowners within the area and relatively small parcels, it is anticipated that there would be willing sellers of land or easements for the protection of resources or the construction of visitor facilities.

Fee simple purchase could also be considered for any offer made by an individual owning property within the designated boundaries when continued ownership would cause or result in undue hardship. Similarly, comparable properties outside the designated boundaries of the historic site could be purchased for use in trade with owners of properties within the designated boundaries.

Boundaries

The boundaries suggested in the alternatives do not dictate what lands would be acquired, but rather what lands would be protected by legislative action. They are prescribed by the location of significant cultural, historic, archeological, and ethnographic resources. In some alternatives, the boundaries are

largely defined by the cultural landscape, as seen from overlooks where there is interpretation. The boundaries generally indicate those areas in which design guidelines and resource protection measures would occur.

ENVIRONMENTAL CONSEQUENCES OF ALTERNATIVES

NPS Special Directive 92-11, concerning the content of special resource studies, stipulates that all such studies will evaluate impacts associated with each alternative in the form of an environmental assessment. The alternatives establish broad management guidelines and their general nature requires that the assessment of impacts also be general. While the National Park Service can make some reasonable projections of likely impacts, they are based on assumptions that may not prove to be accurate in the future. Therefore, this environmental assessment presents only a broad overview of potential impacts relating to the proposed actions for each alternative.

The actions proposed in each alternative were developed with the protection of cultural and natural resources in mind, and mitigation measures are built into each alternative. It is expected that future management plans would be generated to implement any one of the alternatives outlined in this special resource study. Future planning efforts would evaluate specific environmental impacts of the actions proposed in this alternative. In the process, more detailed mitigation measures would be analyzed and developed for public comment.

Impact topics were selected to provide a focus for environmental discussions and to ensure that alternatives are compared based

on the most relevant topics. Their inclusion was based on federal laws, regulations, and orders; NPS *Management Policies*; and issues and concerns expressed during public scoping (see the “Issues” and “Consultation and Coordination” sections).

Assessments of impacts were based on the best available information. Area measurements were made using a Geographic Information System (GIS). The GIS database for the Bear River massacre site contains current information on various natural and developed components of the area.

The cultural resources associated with the Bear River massacre site are those resources of most concern to this study. Additional study impact topics include natural resources, the visitor experience, and the socioeconomic environment. All four topics are discussed in the detail appropriate to this general level of study in the description of each of the alternatives.

Impacts on the cultural values of people potentially affected by any of the alternatives are intangible and more difficult to describe than threats on physical resources. For instance, the Shoshone people feel an inalienable right to protect and revere the place where their ancestors died. Any actions that affect their ability to preserve the sacred ground, to have access to that ground in order to properly sanctify it, or to pay appropriate homage to the memory of their ancestors are viewed as adverse.

By the same token, the people living in the vicinity of the site value their rights to privacy, property, and way of life. Increased tourism and the interests of government agencies can be viewed as impacting those values.

In the development of the alternatives, an attempt was made to evaluate the effects of each alternative on these intangible "cultural" resources as well as the physical cultural and natural resources, the visitor experience, and the socioeconomic environment. The effects of the proposals on the Shoshone people are discussed in the impacts on cultural resources. The effects on the landowners are discussed in the impacts on the socioeconomic environment.

Some concern has been raised about Shoshone access to the massacre field to conduct appropriate ceremonies and cultural practices associated with the massacre. Because most of the massacre field is currently used for the growing of hay or other silage, or for grazing, it is not anticipated that this activity would have substantial impact on landowners' use. However, provisions are made in most

alternatives for the Shoshone and either the landowners or a government agency through its authorities in respect to conservation easements, to reach an agreement on when and how such access might occur.

Executive Order 12898 directs all federal agencies, in conformance to the Department of the Interior's environmental justice policy, to take steps to ensure that minority communities and low-income populations are afforded an opportunity to participate in the planning of federal actions that could impact human health or the environment. Shoshone people have been kept informed of this study, and have been involved throughout the study process, as indicated in the "Consultation and Coordination" section. No direct effects on human health or the environment are anticipated for either minority or low-income populations as a result of any of the alternatives.

NO-ACTION ALTERNATIVE

CONCEPT

The Daughters of the Utah Pioneers (DUP) monument and the accompanying Idaho Department of Transportation (DOT) sign would continue to commemorate a critical event in the settlement of the Cache Valley area by Euro-Americans. There would be no commemoration of the Shoshone dead. The visitor to the site would continue to stop along the highway for a few moments, long enough to stretch their legs, read the plaques and highway sign, then continue their travels.

RESOURCE PROTECTION

The only protection afforded the historic resources would be that offered by the national historic landmark. As stated earlier, this designation prevents federal agencies from having an effect on significant resources in the national historic landmark without undergoing a rigorous review process. There would be no additional protection for cultural resources on privately owned land or from private undertakings.

VISITOR EXPERIENCE

Daughters of the Utah Pioneers Monument Wayside

The basic story of what happened on the day of the massacre would continue to be told at the DUP monument and DOT highway sign. The plaques on the monument portray the event as a "battle," are biased to one viewpoint, and some historians and Shoshone people object to their wording.

Attacks by the Indians on the peaceful inhabitants in this vicinity led to the final battle here January 29, 1863. The conflict occurred in deep snow and bitter cold. Scores of wounded and frozen soldiers were taken from the battle field to the Latter Day Saint community of Franklin. Here pioneer women, trained through trials and necessity of frontier living, accepted the responsibility of caring for the wounded until they could be removed to Fort Douglas, Utah. Two Indian women and three children found alive after the encounter were given homes in Franklin. One of the plaques on the Daughters of the Utah Pioneers monument near the site.

For special groups, a volunteer would continue to provide more background in the form of personally guided tours, lectures, and photocopied excerpts from books and articles. The Idaho Department of Transportation plans to add a map to its existing sign, which would provide orientation to the site.

Because of the national historic landmark plaque, visitors might understand that the massacre has national significance, but no social or historical context would be provided. The tragedy of the massacre would continue to be secondary to the story of the settlement of the area and the help offered to a few survivors by nearby settlers.

The large gravel parking lot would continue to receive conflicting use from site visitors, residents accessing their property, and truckers and other overnight campers who sometimes spend several hours. Volunteers would continue to maintain the lot, monument, and sign, and to collect trash.

Massacre Site

Visitors who desire to see the massacre field would drive down Hot Springs Road, which junctures with U.S. highway 91 about 0.4 kilometer (1/4 mile) to the north. The massacre field would continue to be unsigned, and the only visitors that would know its location would be those with special instructions available in guidebooks or from local residents and volunteers.

Roads and Trails

Hot Springs Road, the road that climbs to Cedar Ridge, and the road accessing the Soldiers' Overlook might receive additional traffic as the massacre event becomes better known through guidebooks and, possibly, an orientation map on the DOT sign. Trails might develop across private land. Visitors might trespass on private land to see where the massacre happened, and to collect mementos of the place.

SHOSHONE ACCESS




Shoshone people would have to contact landowners and/or tenants each time they wish to go onto the massacre field to conduct appropriate ceremonies and cultural practices.

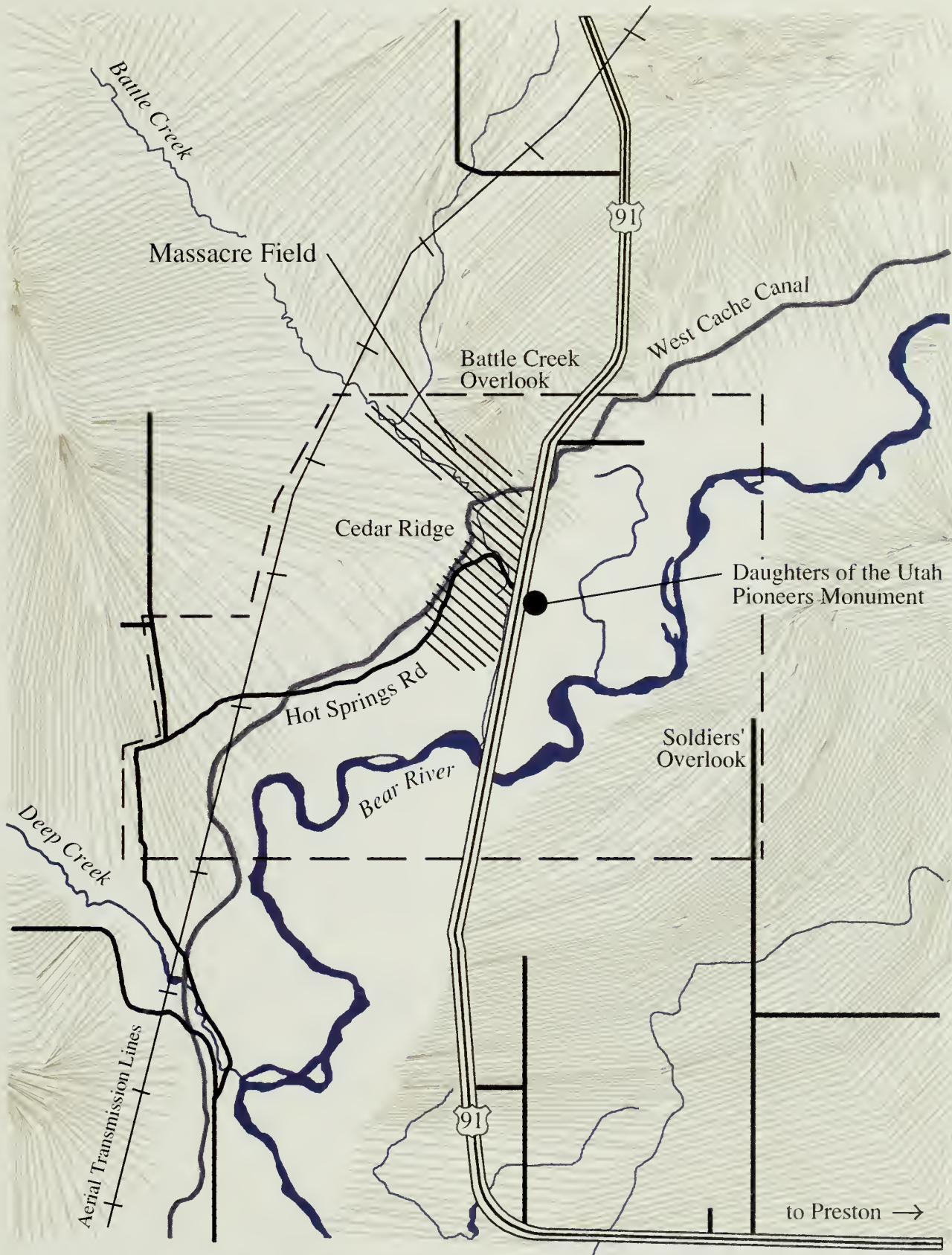
MANAGEMENT

The DUP monument and most of the parking lot would continue to be owned by the Daughters of the Utah Pioneers, as it would in all alternatives. Routine maintenance, such as trash collection and the remediation of vandalism, would be performed by local DUP volunteers. The Department of Transportation would continue to maintain the parking lot and the DOT interpretive signs.

All other land within the landmark boundaries would remain in private ownership and remain zoned as agricultural. Some landowners would continue to dump trash in the direct sight of portions of the massacre field and surrounding bluffs.

The boundary would continue to be defined by the national historic landmark boundary.

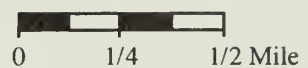
	National Historic Landmark Boundary
	Trail
	Improved Gravel Road



NO ACTION

Bear River Massacre Site

National Park Service/U.S. Department of the Interior
DSC/Sept 96 • 903/20,104A



IMPACT ANALYSIS

Impacts on Cultural Resources

There would be no protection for cultural resources from privately funded undertakings, or from any sources other than the federal government, anywhere within the landmark boundary. Because the federal protection offered human remains under the Native American Graves Protection and Repatriation Act apply only to federal and tribal lands, the remains of Shoshone people left unburied on the massacre field would receive no protection under that act. They would be protected from federal undertakings as a cultural resource under the auspices of the National Historic Preservation Act. Human remains, if discovered during routine maintenance or construction from private and other nonfederal funding sources, would be protected under state law.

Artifacts associated with American Indian occupation of the area and the massacre would continue to be collected, as this practice is not illegal on private land.

There would be no design guidelines or efforts to limit nonagricultural development. There would be no controls over the development of recreation or tourism-related facilities such as parking lots, curios shops, campgrounds, or eating facilities, even on the massacre field. As the population of the county grows, there would be no restrictions on the subdivision of land for residential use. As a result, the cultural landscape would continue to be adversely affected by nonagricultural uses, and ultimately would lose the criteria of integrity that now partially qualifies the historic site as a national historic landmark.

I used to pick up arrow heads and old butcher knives around here. Once I dug down and found an Indian grave. I wasn't digging for burial grounds, just digging. But there wasn't any relics — all I could find was smoked rocks. From an 1980 interview with Herber Winn, whose grandfather was the first settler on the Bear River massacre field (Hart 1982:182).

The massacre field would continue to be used to graze cattle and other domesticated animals, and to dump trash, with the possibilities of other development of the massacre field, further affecting the historic qualities of the national landmark. The Shoshone people would continue to be offended by what they perceive as a lack of respect for the people who died in the massacre.

Under the no-action alternative, there would be no legal method of mitigating these adverse effects.

Impacts on Natural Resources

Irrigation and natural precipitation would continue to cause landslides and slumping of the slopes along Bear River. Continuing existing actions would not alter these hazards.

There would not be any new developments or visitor uses under this alternative. Therefore, there would not be any adverse effects on water quality, riparian areas, wetlands, floodplains, or natural biological diversity. There would be no additional

measures to help protect or restore natural or scenic resources on private or public land.

Bald eagle, peregrine falcon, trumpeter swan, pygmy rabbit, and northern sagebrush lizard are the only federal or state listed threatened, endangered, or candidate species that occur in this region. There are no known habitats in or near the study area that are regularly used by these species. This alternative is not expected to affect their existing limited use of this area.

Dust emissions and visibility would not be affected because there would be little additional vehicle traffic near the site.

Impacts on Visitor Experience

Visitor understanding and appreciation of the Bear River massacre site would continue to be limited by the lack of preservation of and access to key cultural resources. With the no-action alternative, local residents would continue to offer informal tours of the massacre site. But, without additional interpretive media and staff, it would be impossible to offer this experience to all those wanting the opportunity. There would be no additional mitigation provided to protect the scenic resources of the massacre site. Regional recreational experiences that are currently available would not receive any additional publicity.

Impacts on Socioeconomic Environment

Except for normal increases in visitation due to population growth in the area, there would be no additional economic benefit to the community. There would likely be some intrusions on the privacy of residents near the site. This activity could be minimized by erecting signs that ask visitors to not trespass and to respect private property rights. There would not be any new development or farmland acquired and converted to nonagricultural uses under this alternative. Therefore, prime farmlands would not be adversely affected.

Impacts on Transportation

This alternative would result in minimal increases in traffic near the massacre site and no adverse effects on the local roadways.

COST CONSIDERATIONS

All costs of operating visitor services and maintenance of the DUP monument and parking lot would continue to be borne by volunteers. For the last few years, Franklin County has provided the Bear River/Battle Creek Monument Association a grant of \$400 a year to pay for travel expenses for a volunteer to attend meetings associated with protecting and interpreting the site. This funding source may continue in the future.

ALTERNATIVE 1: HISTORIC SITE (MINIMAL ACTION)

CONCEPT

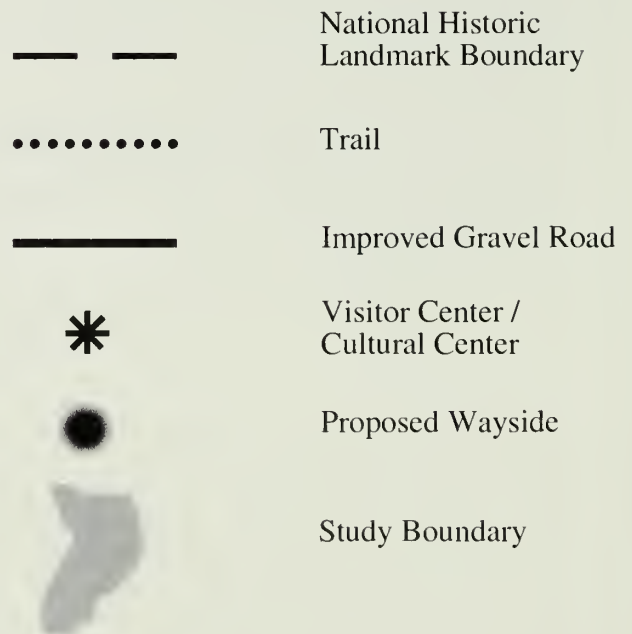
Resources within the national historic landmark would receive additional protection through local or state legislation; interpretation would be enhanced with a more balanced representation of the basic story that clearly states the national significance of the event. Commemoration of the Shoshone dead would be limited to that implicit in the increased interpretation of the Shoshone story. Management would occur at the local level, with state leadership. All current landowner use would be maintained, and property rights would be reinforced.

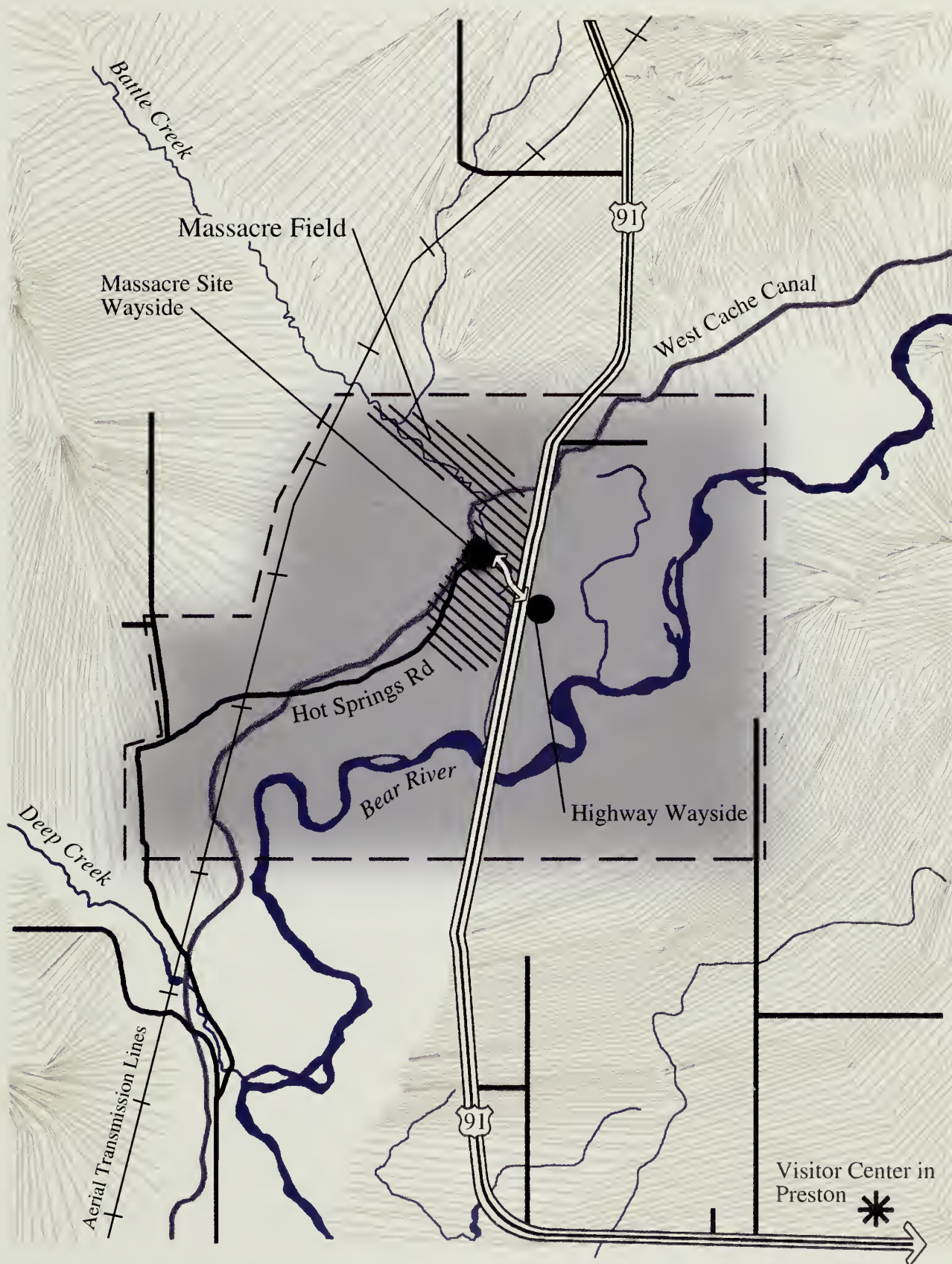
articulated in the vision statement at the beginning of this study is to provide a place where visitors can learn the various viewpoints of what happened at the massacre. It is also a goal to protect all of the cultural resources connected with the massacre, including the stories of the Shoshone people. Integral to the achievement of these goals would be the collection of oral histories related to the massacre event. The manager of the site would work with Shoshone cultural representatives and pioneer descendants organizations to collect those rapidly disappearing sources of information.

RESOURCE PROTECTION

Cultural resources would continue to be protected from federal undertakings as a part of the national historic landmark designation and under the auspices of the National Historic Preservation Act. In order to provide extra protection from actions by entities other than federal agencies, local ordinances would be developed to protect human remains, and other cultural resources on private lands within the landmark boundary. Primary protection would be provided for resources on the massacre field.

Local governments would work with landowners to develop voluntary design guidelines within the landmark boundaries. The county would work with local authorities and citizens to strengthen zoning regulations in order to discourage development inconsistent with agricultural uses within the landmark boundaries. One of the goals of this historic site designation, as



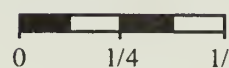


ALTERNATIVE 1

Bear River Massacre Site

National Park Service/U.S. Department of the Interior

DSC/May 95 · 903/20,105



VISITOR EXPERIENCE

Highway Wayside

The basic story of what happened on the day of the massacre would be told at a highway stop near the DUP monument. New wayside exhibits would include an orientation map and a statement about respecting landowners' rights to privacy.

While a more balanced presentation of the story would be provided, there would be only limited opportunities to provide for the context story, differing stories, or an orientation to other related resources. Some effort would be made to emphasize the national significance of the event and why it is so important.

The parking lot at the highway wayside would be redesigned to separate the access to private property from the visitor use area and to make the area more attractive. Interpretive facilities would be upgraded to encourage people to leave their cars and spend a little time learning more about the massacre. An orientation map would be added to the wayside along with a message encouraging visitors to respect private property. This message could be reinforced by informing people of the sacred nature of the massacre field.

Massacre Site Wayside

An additional wayside would be provided in the immediate vicinity of the massacre field to provide a stronger emotional connection to the site and to give the visitor who wishes to go to the place where it happened the opportunity to do so. This wayside would emphasize the Shoshone story. It would be located on the massacre field in a location to

be determined in cooperation with a willing landowner. An easement for the wayside would be purchased, and appropriate fencing and signs of private land adjacent to the wayside would be provided.

Shoshone Memorial

The Shoshone people could raise the funds for a memorial and negotiate with a landowner for the right to erect it. It is not expected that the local government would provide the memorial under this alternative.

Visitor Center/Chamber of Commerce Services

A small visitor center would be established in Preston to provide more information on the social and historical context of the massacre. An emotional connection to the tragedy would be enhanced through personal services, and limited audiovisual media (e.g., a television with a videotape) of Shoshone family stories and pioneer reminiscences. This visitor center would also contain a few exhibits, and sales of books and Shoshone crafts. Space could also be provided for Chamber of Commerce facilities, and orientation to other points of interest in Franklin County. In addition, this facility would provide space for an administration office.

This visitor center could be established in either a leased building, possibly on Main Street, a building owned by the city, or in a structure donated for the purpose. During the review of the draft study, some members of the public suggested that the old Carnegie Library, which is still used as the city's public library, would be one possible location for a visitor center. However, the

city has not indicated that a new library is to be constructed, or that the Carnegie Library building would be available for such a purpose.

Roads and Trails

Minimal upgrades to Hot Springs Road as far as the massacre field wayside would be sufficient to handle additional traffic. A small parking lot (3–4 vehicles) would be provided at the massacre field wayside. This parking lot would be designed so that people could turn around and return to the highway. There would be no designated trails, and the creation of unofficial trails by people wandering across the landscape would be discouraged through fencing, signs, and a repeat of a message indicating that the massacre field is sacred ground.

SHOSHONE ACCESS

Formal agreements between the tribes and individual landowners could be negotiated to provide Shoshone people access to the massacre field to conduct appropriate ceremonies and traditional practices. County officials and the state historic preservation officer could provide leadership in reaching those agreements.

MANAGEMENT

The site would be managed by Franklin County, perhaps through some other organization formed specifically for the purpose. Compliance with design guidelines to preserve the cultural landscape would be voluntary.

Leadership in coordinating local resource protection legislation and in developing design guidelines would be provided at the state level.

The National Park Service could provide technical assistance to establish interpretive facilities and draft design guidelines if so requested, and if funding permitted.

After the facilities were developed, one person would be required for administration of the site, routine maintenance of waysides, and distribution of interpretive materials. Additional staffing would be on a volunteer basis.

The boundary would coincide with the national historic landmark, which encompasses 684 hectares (1,691 acres).

ADDITIONAL COMMENTS

This alternative could be adopted as a beginning point towards implementation of any of the other alternatives.

IMPACT ANALYSIS

Impacts on Cultural Resources

There is a potential for disturbance of human remains and archeological resources at the proposed massacre field wayside, and at the site of a Shoshone Memorial, if one was erected. Every effort would be made to design the small parking lot, any necessary road improvements, wayside exhibits, and the memorial to minimize ground disturbance. For instance, parking spaces could be constructed on fill material rather than be cut into the surrounding land. If ground disturbance is unavoidable, limited

archeological investigations are recommended. If undertaken, those investigations should be conducted in consultation with Shoshone tribal and cultural representatives and could be conducted in the presence of a volunteer Shoshone monitor, under the auspices of an agreement as described below.

An agreement could be entered into between Franklin County and the Shoshone tribes to establish procedures should human remains be found during any excavations on the massacre field, either construction-related or for archeological tests prior to design of facilities. The state historic preservation officer could assist these entities in preparing the agreement. If human remains were found during any type of excavation, it is recommended that the excavation be stopped immediately, and the procedures of the agreement be followed.

Because design guidelines developed to protect the scenic qualities of the landscape would be voluntary, they may not be very effective in protecting the integrity of the national historic landmark. Financial incentives offered through historic preservation grants and tax incentives may encourage landowners to conform to the guidelines, but in the spirit of a locally administered alternative, no mechanisms would exist to encourage adherence.

This alternative allows little latitude for tribal involvement other than through the agreement on treatment of human remains and in their assistance in the preparation of audiovisual media for the visitor center. Agreements could be negotiated with each individual landowner allowing Shoshone access to the massacre site, which may be a long, complicated process. There would probably not be any provision to compensate

the landowners for any hardship that might accrue from these agreements.

Impacts on Natural Resources

The impacts on natural resources under alternative 1 would be the same as for the no-action alternative, with the exception of a minor, localized impact on vegetation. Improvements to existing roads and parking near the massacre site wayside could disturb a small amount of adjacent vegetation in the immediate area.

Minor short-term emissions and noise near the site would also result from road improvement and parking construction activities.

The highway and massacre site waysides would be located on previously disturbed agricultural lands, and no impacts on biological diversity would be expected. There would be no development in floodplains or wetlands; thus, no environmental impacts would be anticipated.

Impacts on Visitor Experience

Visitors would have limited onsite opportunities to understand and appreciate the Bear River massacre. Existing scenic resources at the site would be protected through voluntary design guidelines and incentives. Promotion of regional recreational opportunities would be enhanced through the Chamber of Commerce space available in the visitor center.

Because the visitor center is removed visually from the massacre site, and would require that a visitor drive from the center to

the site (or vice versa), interpretation may duplicate some of that undertaken at the site.

Impacts on Socioeconomic Environment

There would be a one-time benefit to the local economy if labor and building materials used to construct wayside exhibits, massacre site pullout, and improvement of Hot Springs Road and the DUP parking lot are supplied from the local area. Increased visitation to the visitor center and massacre site would result in some increases in local sales taxes and revenues. The local economy would also benefit from annual operating expenses and paid staff at the visitor center.

This alternative provides landowners the flexibility to remain on their land and continue with land use activities that are compatible with the historic site. Easements not to exceed 4 hectares (10 acres) would be required on private land for a wayside near the massacre site. The scenic quality of the area would be protected with voluntary design guidelines and incentives. Signs and fencing would reduce trespass on private land. There would not be any new developments or farmland acquired and converted to nonagricultural uses under this alternative. Therefore, prime farmlands would not be adversely affected.

This alternative retains existing private landowners' rights to the greatest extent possible by offering only limited zoning restrictions, which would be initiated on a local level and with full participation of affected landowners. Some voluntary guidelines protecting the cultural landscape and cleaning up property would be offered. Because guidelines are voluntary, only limited financial incentives would be offered for compliance. Signs to protect private

property could be provided upon request, but fencing would be at the expense of the landowner, except at the massacre site wayside, where fencing could be provided. Visitor access would be structured to avoid all private property except at the massacre site wayside. That landowner would be compensated for an easement.

Impacts on Transportation

An increase in the number of visitors may cause some traffic congestion, accidents, and noise on Hot Springs Road. The road leading to the wayside near the massacre site would be improved and a parking lot built to accommodate the additional traffic. Increased traffic would also require more road maintenance. The pulloff and parking area at the DUP monument would be improved to provide better access, reduce the impact on nearby landowners, and reduce overnight parking.

FEASIBILITY

General Considerations

Alternative 1 does not propose an addition to the national park system. While all historic resources pertinent to the massacre event itself are included within the landmark boundaries, the national landmark designation would not protect critical resources against private development. The configuration of the landmark boundaries is of insufficient size to take the historic landscape into account. Because design guidelines protecting the scenic qualities of the landscape would be voluntary, there would be no mechanism to ensure compliance, and they may not prove effective. There would be no impact on the

use of private owners, except that landowners themselves would be responsible for keeping visitors off their land, and would receive only limited compensations for additional signs and fencing that would be necessary as visitation increased. These compensations would have to be regarded as part of the operational expenses of the historic site, and provided through legal mechanisms at the local level.

Resources would experience increased threats from incompatible development, such as the recreational vehicle (RV) park that is currently being constructed near the south boundary of the landmark.

Cost Considerations

Operational costs would consist of one full-time site manager to provide leadership in accomplishing the tasks of the proposal, to oversee the maintenance of facilities, and to arrange for volunteer personal services at the visitor center. Additional projected operational costs would be for periodic maintenance of the wayside and the visitor center, and for nominal compensation of volunteers to operate the visitor center. The rental of a portion of a building would also be required. Operation costs for a year are estimated at \$175,000.

Project-related costs would consist of the design and remodeling of an existing structure for use as a visitor center in Preston. In addition, the design, construction, and placement of wayside exhibits, the redesign of the highway wayside, and provision of a small pullout at the massacre site wayside would comprise development-related costs. Total development costs are estimated to range from \$1.2 million to \$1.4 million.

Acquisition costs would involve the purchase of an access easement less than 4 hectares (10 acres) for a small parking lot and exhibitry on the massacre field.

The cost of collecting oral histories about the massacre should not exceed \$100,000, and could probably be done for less if local university students and Shoshone people worked together on a voluntary basis.

Operational funding would be provided by Franklin County. Funding for specific projects and the collection of oral histories could be supplemented by both state and federal historic preservation grants, as well as private donations. It is anticipated that funding might be difficult for Franklin County and that landowners throughout the county might have to bear the costs of this alternative through increased property taxes.

ALTERNATIVE 2: STATE HISTORIC SITE

CONCEPT

Resource protection would be provided through the acquisition of conservation easements on the massacre field. A boundary somewhat larger than the national historic landmark would be established to protect the cultural landscape. Interpretation would be enhanced by balancing the basic story at a highway stop, and expanding on the contextual story at a visitor and cultural center on an overlook. A memorial commemorating the Shoshone dead would be provided. The present agricultural use of the land would continue.

Management would be cooperative among a number of interested entities, under the overall leadership of the Idaho State Parks and Recreation Department. Residents and landowners would be given a strong position in the management of the area, but the broader picture would be maintained by including partnerships with other state, tribal, and federal entities. Ownership would remain almost entirely private and the current land use would be preserved. Proposed public ownership of land would amount to a visitor and cultural center site in fee title, and 58 hectares (144 acres) of conservation easements on the massacre field.

RESOURCE PROTECTION

Cultural resource protection would be extended to the historic resources enumerated in the national historic landmark nomination form, and any additional archeological and ethnographic resources, and the cultural landscape through the

acquisition of conservation easements on the massacre field and scenic easements and/or development rights within the larger cultural landscape.

Not all cultural resources associated with the massacre and generally described in the "Affected Environment" section of this study have been inventoried. While the historic resources are relatively well documented, additional studies are needed in order to adequately protect cultural resources and to properly assess the impacts of actions in future planning efforts. Under this alternative, the following studies would be conducted:

- nonintrusive archeological inventory, overview, and assessment
- ethnographic studies devised to inventory sites, structures, objects, landscapes, or natural resource features in the vicinity that have traditional legendary, religious, subsistence, or other significance in the Shoshone cultural system
- oral histories of the descendants of Shoshones, pioneers, and soldiers
- a cultural landscape study

VISITOR EXPERIENCE

Highway Wayside

The basic story of what happened on the day of the massacre would be told at a highway stop near the DUP monument. The story would be presented in a more balanced

form, with emphasis on the national significance of the event. A new wayside exhibit would include an orientation map and a statement about respecting landowners' rights to privacy, reinforced with a message about the sacred ground. Directions would be provided on how to access other waysides, overlooks, and a visitor center.

The parking lot at the highway wayside would be redesigned to create a more pleasant place to stop, but in such a way as to discourage overnight use, as well as to provide some separation between private access and visitor use. Appropriate signs and fencing of private land adjacent to the wayside would be provided.

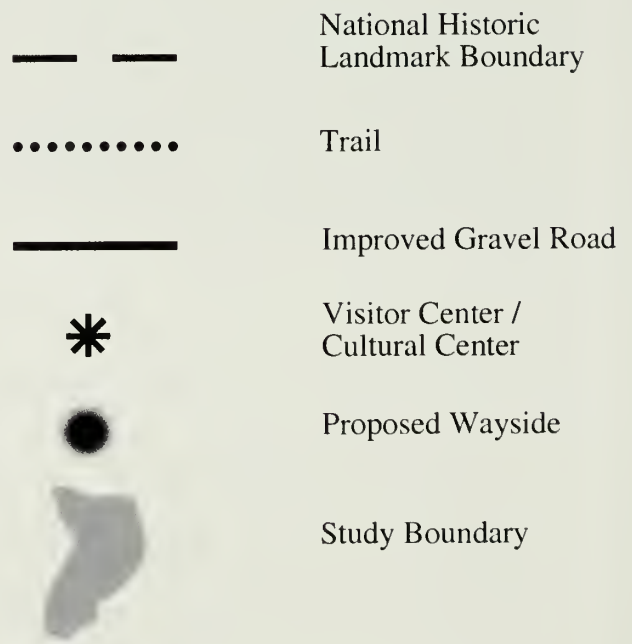
Massacre Site Wayside

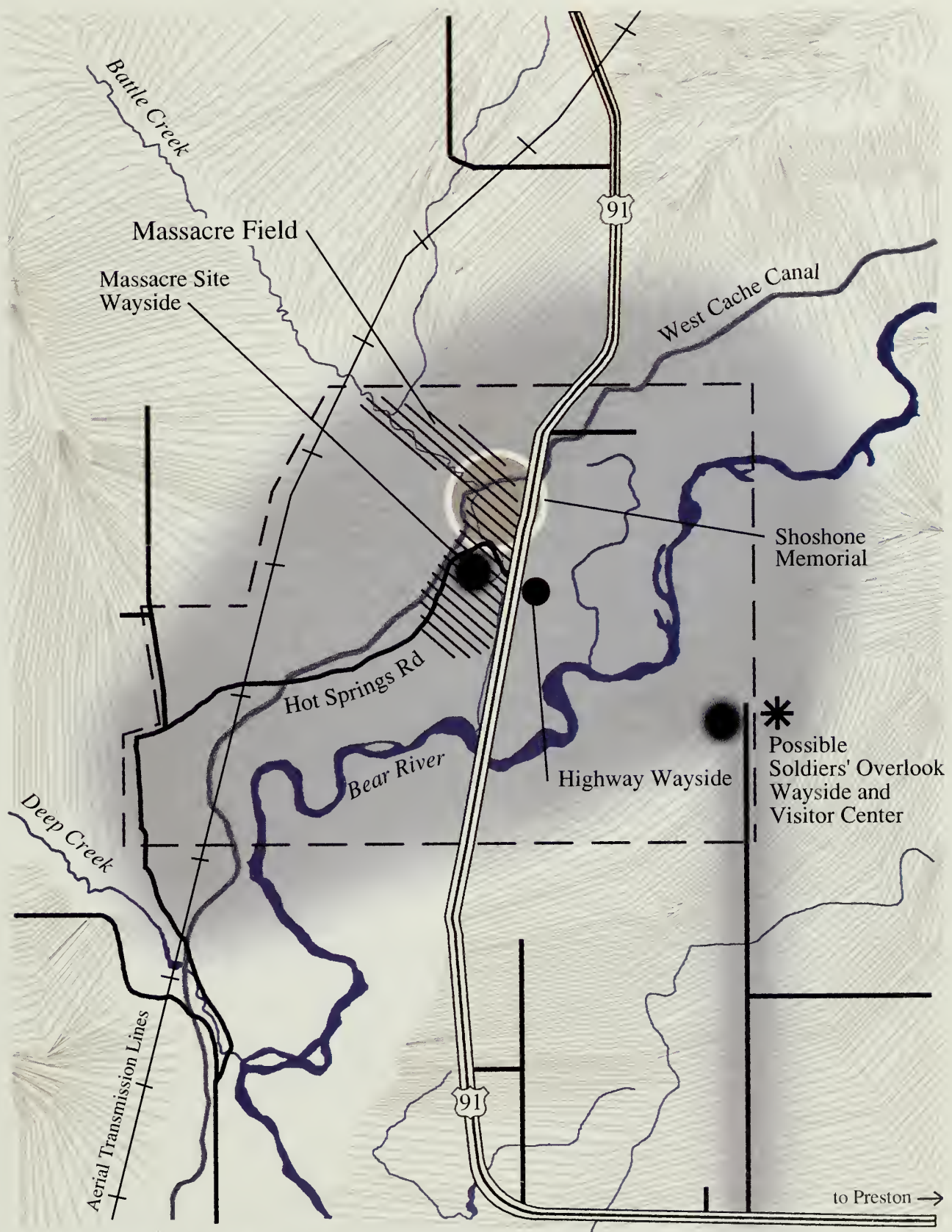
The tragedy of the event could be emphasized by an additional wayside in the immediate vicinity of the massacre field. This wayside would give the visitor an opportunity to go to the place where it happened without otherwise violating rights to privacy or the integrity of the sacred ground. This wayside would emphasize the Shoshone story. A small parking lot, space for interpretive media, and sufficient room to turn around and return to the highway would be required. The location would be provided by a willing landowner. The affected landowner(s) would be compensated through the purchase of easements and development rights, along with other incentives.

Shoshone Memorial

Commemoration of the Shoshone dead would take the form of a Shoshone

memorial, which would be placed on the massacre field or in another location suggested by Shoshone people and in cooperation with a willing landowner. The design for the memorial would be developed with the full participation of Shoshone tribal and cultural representatives. The intention is to provide a memorial that pays homage to the people who died on the massacre field. This homage must be appropriate to the descendants, and should take a form that has special meaning to them. The memorial may or may not be placed adjacent to the massacre site wayside, and may or may not be accessible to the general public, depending on the wishes of the Shoshone people.

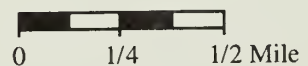




ALTERNATIVE 2

Bear River Massacre Site

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Visitor and Cultural Center

A combination visitor center and cultural center would be located near the overlook wayside to provide for depiction of the social and historical context of the massacre, and to preserve and interpret the various accounts of the massacres as told by all participants.

This facility would be built on the Soldiers' Overlook to the east of the massacre field. The building would be placed far enough away from the edge of the bluff to avoid potential landslides and, if possible, to be out of sight of visitors standing of the massacre field. Here the visitor could see and hear descendants of survivors tell their family stories, either personally or through audio-visual media. It would contain exhibits, a variety of interpretive media, an auditorium, space for cultural demonstrations, and sales of books and Shoshone crafts. The visitor center is where the context for the massacre would be told, as well as the differing versions of the massacre event. It would also be a place to learn about related places and events. The visitor center would also provide space for administration offices.

The adjoining cultural center would be located in a space separate from activities in the visitor center, but would share the same structure. It would be a place where visitors could gain an understanding of both Shoshone and pioneer ways of life through cultural demonstrations. It could also serve as a repository for the various stories of the massacre as told to descendants of survivors and pioneers. Overall management of the center would be by the state parks and recreation department, but staffing and expertise would be drawn from Shoshone and local populations.

A trail would lead to the overlook, where an overview of the massacre field could be obtained. Because the visitor would be within a short walking distance of being able to see the massacre site, interpretation at the visitor center would not have to duplicate some of that undertaken at the highway stop and near the massacre field.

Overlook Wayside

An additional wayside would be provided at an overlook near the visitor and cultural center. This wayside would provide a general overview of the massacre site, and help the visitor understand why the Shoshone were encamped at that location, how big the village was, what the troop movements were, and what routes were taken by escaping survivors. The affected landowner(s) would be compensated through the purchase of easements and other incentives. Appropriate signs and fencing of private land adjacent to the wayside would be provided.

Roads and Trails

The visitor experience onsite would be almost entirely via a personal vehicle. It might be necessary to upgrade Hot Springs Road from its intersection with U.S. highway 91 to the massacre field wayside and/or Shoshone Memorial to handle additional traffic. Additional upgrades would be necessary to the gravel road that leads to the overlook visitor and cultural center.

In addition to redesigning the parking lot at the highway wayside, small parking lots would be provided at the massacre site wayside and possibly the Shoshone Memorial. The visitor center would have a

somewhat larger parking lot sized to accommodate projected visitation.

A single trail would be provided from the overlook parking area to the overlook. There would be no other trails, and unofficial trails would be discouraged through fencing, signs, and a message concerning the sacred ground.

SHOSHONE ACCESS

After the state had acquired conservation easements to the massacre field, formal agreement(s) between the state, as managers of the site, a heritage commission organized to advise the state, and the Shoshone tribes would provide Shoshone people with the ability to go onto the massacre field to conduct appropriate ceremonies and cultural practices. The state historic preservation officer would provide leadership in reaching those agreements.

MANAGEMENT

The site would be a designated state historic site operated by the Idaho State Parks and Recreation Department. A heritage commission representing several different interest groups (such as the National Park Service, tribes, landowners, the state historic preservation officer, and local interest organizations) would assist the state in managing the site. Specific roles of each entity would be determined under a specific management plan.

For instance, if requested, the National Park Service might provide technical assistance to

the state and heritage commission in developing resource protection plans, research, and interpretive planning. The state would operate the visitor center and provide administrative services. The tribes, in cooperation with local history organizations, might be actively involved in planning cultural activities and demonstrations. Both would work with the state in facets of research and development of the interpretive story. The landowners may assist the state in developing design and land protection guidelines, which would be enforced through a landowners' association. Other local organizations might be responsible for outreach, publicity, promotion, and coordination of specific events.

All entities would have representatives on the commission that would review, coordinate, and approve actions by the state. All entities would have equal voices in decision-making.

The park would be administered by a state park superintendent and a small administrative staff responsible to the commission. A relatively small core staff for interpretation, resource protection, and maintenance could be partially supplemented with volunteers. This volunteer staff could be obtained from both the local history organizations and the Shoshone tribes. A paid Shoshone staff person would oversee the operations of the Shoshone cultural demonstrations and interact with the interpretive staff. Cultural demonstrations could be staffed by volunteers or permanent paid positions from both the Shoshone and local pioneer organizations, although there should be at least one demonstration available at all times.

Cultural Landscape

Protection of the cultural landscape would be accomplished through protective covenants and voluntary design guidelines reinforced with economic incentives. These covenants and design guidelines would be developed by the heritage commission with heavy involvement by the landowners. Zoning would prohibit new development not consistent with agricultural pursuits (e.g., subdivision housing, RV parks, curios stores). Covenants would be designed to protect landowners, not to penalize them.

Boundary

The boundary would include the study area as defined by the cultural landscape as seen from the Soldiers' Overlook, which would encompass about 965 hectares (2,380 acres).

Land would remain in private ownership except for a parcel large enough to accommodate the visitor and cultural center and its attendant parking lot. Easements would be purchased for access to the massacre site wayside, the overlook wayside, and the Shoshone Memorial.

The state would use the willing seller/willing buyer method to purchase fee simple and easement interests in land. The state would also accept donations and use land exchange techniques to acquire interest in land from willing parties.

IMPACT ANALYSIS

Impacts on Cultural Resources

There is a potential for the disturbance of human remains and archeological resources at the proposed massacre field wayside and Shoshone Memorial. If there is no feasible way of designing improvements without ground disturbance, limited archeological testing should precede the design of parking, exhibit structures, memorial, and road adjustments. It is recommended that the Shoshone cultural representatives be consulted regarding these investigations, and that a Shoshone representative be present.

An agreement could be entered into between the state, the Shoshone tribes, and, if federal funding sources are used, the National Park Service, to establish procedures should human remains be found during any excavations on the massacre field. If human remains were found, the excavation would be stopped immediately, and the procedures of the agreement would be followed.

A number of cultural resource studies are proposed in this alternative in order to provide information necessary to manage and protect the resources, and to properly evaluate impacts of proposed actions in future environmental analyses. These studies would be conducted under the auspices of the Idaho state historic preservation officer, and in consultation with the Shoshone tribes. Shoshone cultural advisors would be consulted in all studies related to the Shoshone, and cultural sensitivities about the studies would be respected. The collection of oral histories and other ethnographic information, in particular, would conform to confidentiality concerns of the Shoshone people.

The effects on the Shoshone people are generally beneficial. This alternative allows for more tribal involvement than in alternative 1. Their involvement would be through the agreement for the treatment of human remains, their representation on the heritage commission, and their participation in the cultural center. Shoshone people would also be consulted in the preparation of any interpretive media at the visitor center and in the waysides. Individuals from the tribes would also have access to the massacre field for the conduct of appropriate ceremonies and cultural practices through a single formalized agreement with the state, which would acquire conservation easements to the massacre field.

In the spirit of cooperative management of the site, the tribes would be expected to help pay for the operation of the cultural center. This cost would constitute the only adverse effect on the tribes.

The visitor and cultural center would be located away from the edge of the bluff, partially to avoid impinging of the cultural landscape as seen from the massacre field. If it was not possible to accomplish this goal, then appropriate design, screening and other mitigation measures would be developed.

The Soldiers' Overlook is far enough away from the massacre site that modern intrusions, such as the West Cache Irrigation Canal and U.S. highway 91, do not pose great impacts on the scenic quality of the cultural landscape as viewed from the proposed overlook wayside. The proposed waysides at the highway and massacre field, and the Shoshone Memorial, likewise, would not be noticed from this location. Their impact would not require mitigation measures.

The highway is somewhat more of an intrusion on the landscape when viewed from the massacre field. Vegetative screening can mitigate some of those impacts and would be used to the extent possible. The irrigation canal is higher than the massacre field and its eastern embankments appear to be part of the natural hillsides. Therefore, it is not noticeable to most observers.

Impacts on Natural Resources

Geologic hazard impacts would be the same as described for the no-action alternative. The visitor and cultural centers and trail at the Soldiers' Overlook would need to be appropriately located to avoid landslide hazards near the slopes along Bear River. Siting of this facility, design considerations, and mitigation for the geologic hazards would be identified during later planning stages.

The visitor and cultural centers, overlook, wayside, parking lots, and improvements to existing roads and parking lots would be located on previously disturbed agricultural lands, and no impacts on natural biological diversity would be expected. A trail from the visitor center to the overlook could disturb a small amount of natural vegetation. Design guidelines could limit nonagricultural development on private land and thus reduce the potential for additional vegetative disturbance.

No development would be sited in floodplains or wetlands; thus, no adverse environmental impacts would be anticipated.

Water for development and visitor use may be supplied from wells. Wells would be developed according to state water resource

protection regulations to avoid adverse impacts on groundwater and/or surface water resources. Water rights would be acquired according to Idaho state water law and administered under state jurisdiction.

This alternative is not expected to affect existing limited use of this area of federal or state listed threatened, endangered, or candidate species.

Minor short-term emissions and noise near the site would result from construction activities to build new facilities and improve roads and parking. Increased vehicle traffic on unpaved roads would increase airborne dust and slightly reduce visibility.

Impacts on Visitor Experience

This alternative provides visitors a variety of opportunities to understand and appreciate the Bear River massacre. Continued private uses of the land within the cultural landscape would preclude restoration of the area to a natural or historic setting. Some visitors may see current land uses as visual intrusions. However, this impact would be offset by providing an interpretive program, constructing visitor and cultural centers, and by formally memorializing the victims of the massacre. The visitor and cultural centers would be sited and designed to blend with the natural surroundings. The development of a scenic overlook and an additional wayside would enhance opportunities to experience scenic vistas.

Impacts on Socioeconomic Environment

Increased sales and tax revenues, operating expenditures at the visitor and cultural centers and their paid staffs would

economically benefit the local economy. Besides employment at the state historic site, visitor-related facilities such as a hotel, a restaurant, a service station, and/or a convenience store would enhance the local economy. Existing businesses along travel routes would also benefit from increased tourist volumes. If local resources are used to build the visitor and cultural centers, there would also be a one-time local benefit from labor and materials.

Private landowners would be provided flexibility to remain on their land and use it for compatible purposes. Similar to alternative 1, existing scenic resources would be protected through voluntary design guidelines, covenants, and zoning. Trespass on private land would be minimized with signs and fencing.

This alternative protects private landowners' rights through the formation of a landowners' protective association. This association would represent the landowners on the heritage commission, and would be involved in devising scenic protection and design guidelines. Landowners would further be compensated for hardships occurred through compliance with design guidelines. Signs and fencing to protect private property would be provided upon request. Visitor access would be structured to avoid all private property. In addition, interpretive media would stress the importance of respecting landowner property rights and the sacred ground.

Approximately 8–14 hectares (20–35 acres) would be purchased in fee simple to build the visitor and cultural center. A willing landowner would be compensated for the fair market value of the land. This action would remove a small amount of prime farmland from agricultural production.

The site of the visitor center would be acquired strictly on a willing seller/willing buyer basis, and could be acquired fee simple through purchase, donation, or land trade.

Conservation and scenic easements would be acquired for an additional 58 hectares (144 acres) of land on the massacre field itself.

Impacts on Transportation

An increase in visitors would cause more traffic congestion, noise, and accidents on Hot Springs Road and other roads leading to the visitor center and wayside. Roads would be improved and parking lots built to accommodate the additional traffic. The DUP parking lot on U.S. highway 91 would be improved to provide better access, to reduce overnight parking, and to reduce the impact on adjacent landowners. Increased maintenance would be necessary on roads that would have increased traffic volumes.

FEASIBILITY

General Considerations

Alternative 2 does not propose an addition to the national park system. The alternative is dependent on the state of Idaho taking the lead in writing legislation creating a unit of its state park system, and in funding all operational and most project-specific costs. The concerns of Shoshone people living in Wyoming, Utah, and Nevada might not be given the attention that a national perspective could provide.

All historic resources pertinent to the massacre event itself are included within the

landmark boundaries, but, in order to adequately protect cultural resources in private ownership, the acquisition of conservation easements would be required to extend state historic preservation law to the massacre field.

Cost Considerations

Operational costs would consist of a full-time site manager to provide leadership in accomplishing the tasks of the proposal and to oversee the operation and maintenance of facilities. A staff would also be required, consisting of enough people to operate the visitor center year-round and week-long. One or two positions would be required to operate the cultural center. Additional projected operational costs would be for periodic maintenance of the wayside and the visitor/cultural center. The cost of incentives for landowners and residents to comply with scenic and design guidelines could also be considered an operational cost. Operational costs are estimated at \$275,000 a year.

Operational funding for the visitor center and maintenance of other site facilities would be provided by the state of Idaho. Operational funding for the cultural center would be a cooperative venture between the Shoshone tribes and pioneer organizations.

The costs of all inventory studies is estimated at about \$400,000.

Project-related costs would consist of the design and construction of the visitor/cultural center and attendant parking. Approximately 3.2 kilometers (2 miles) of road from U.S. highway 91 to its location on the Soldiers' Overlook would probably require improvement. Project costs would also include design and construction of

wayside exhibits, redesign of the highway wayside, and provision of small pullouts at the massacre site wayside and possibly the Shoshone Memorial. The design and construction of the Shoshone Memorial is also considered a cost of this alternative. Development costs are estimated to be between \$6.9 million and \$8.9 million.

Approximately 8–14 hectares (20–35 acres) of land would be acquired in fee simple for the construction of the visitor and cultural center. The purchase of access, conservation, and scenic easements would be required at the highway and massacre site waysides and the Shoshone Memorial. In addition, an easement would be required for

the county road leading to the proposed visitor center, and for the Hot Springs Road in order to effect road improvements. The total size of the easements would be about 80 hectares (200 acres). The state may also wish to purchase development rights for the remaining 850 hectares (2,100 acres) within the cultural landscape to assist in protecting the scenic qualities.

Project and cultural resource inventory funding could be provided through a combination of federal and state sources under special legislation and historic preservation grants, possibly supplemented with private donations.

ALTERNATIVE 3: NATIONAL HISTORIC RESERVE

CONCEPT

The cultural resources would be protected by the National Park Service through the acquisition of a combination of conservation easements and fee simple title. A boundary somewhat larger than the national historic landmark would be established to protect cultural landscape values, but present agricultural use of most of the land would continue. Interpretation would be enhanced by balancing the basic story at a highway stop, and expanding on the contextual story at a visitor and cultural center on an overlook. A memorial commemorating the Shoshone dead would be provided.

The site would be administered by the National Park Service in full coordination with tribal governments, the Idaho state historic preservation officer, county government, and area citizens. Residents and landowners would be given an important role in the future protection and public use of the area. Ownership would remain primarily private and the current agricultural land uses would be continued. Proposed public ownership of land would amount to a visitor and cultural center site in fee simple, and 58 hectares (144 acres) of a combination of fee simple and conservation easements on the massacre field.

RESOURCE PROTECTION

The massacre field would be protected by a combination of either fee title or conservation easements acquired from willing sellers. The National Historic Preservation Act and other laws relating to the use of cultural resources would be

extended to any remaining properties within the cultural landscape where the rights were obtained from willing sellers. Protection measures, and the extent of the authorities conveyed with the easements would be devised through a cooperative effort between local residents and landowners, and appropriate local, state, tribal, and NPS officials.

As noted in the description of alternative 2, not all cultural resources associated with the massacre have been inventoried. While the historic resources are relatively well documented, there is a need to conduct additional studies in order to provide information necessary to manage and protect the resources, and to properly evaluate impacts of proposed actions in future environmental analyses. As a matter of NPS policy, the archeological, ethnographic, and cultural landscape studies listed in alternative 2 would be undertaken, as well as the collection of Shoshone oral histories.

VISITOR EXPERIENCE

Highway Wayside

A balanced presentation of the basic story of what happened the day of the massacre would be told at a highway stop near the DUP monument. As in alternative 2, a new wayside separated from the existing monument would include an orientation map and a statement about respecting landowners' rights to privacy. Directions to the visitor center would be provided.

A parking lot would serve the highway wayside somewhat removed from the

existing DUP monument. Resident access would be separated from the parking area, and it would be designed in such a way as to discourage overnight parking.

Massacre Field

General public access to the massacre field would not be proposed under this alternative. However, with landowners' consent where necessary, special guided interpretive talks or commemorative activities may take place on or near the massacre field on an infrequent basis.

Shoshone Memorial

Commemoration of the Shoshone dead would take the form of a Shoshone Memorial on or near the massacre field as described in alternative 2.

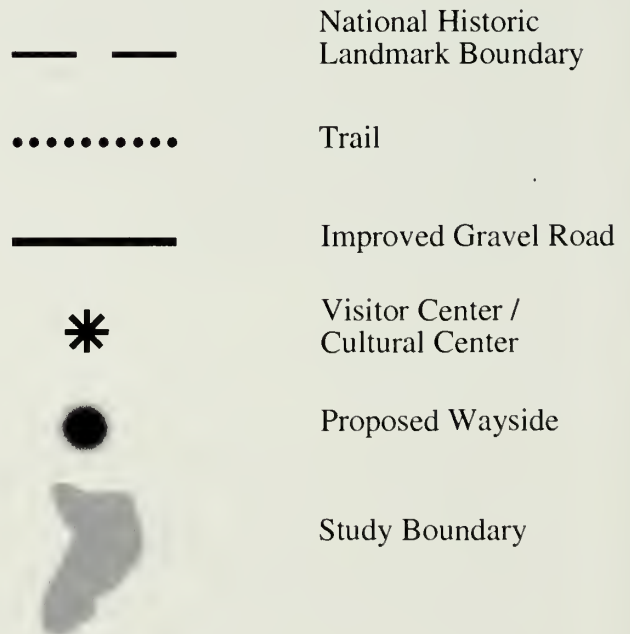
Visitation would be commensurate with that appropriate for a historic site associated with a massacre, while respecting the rights of private property owners.

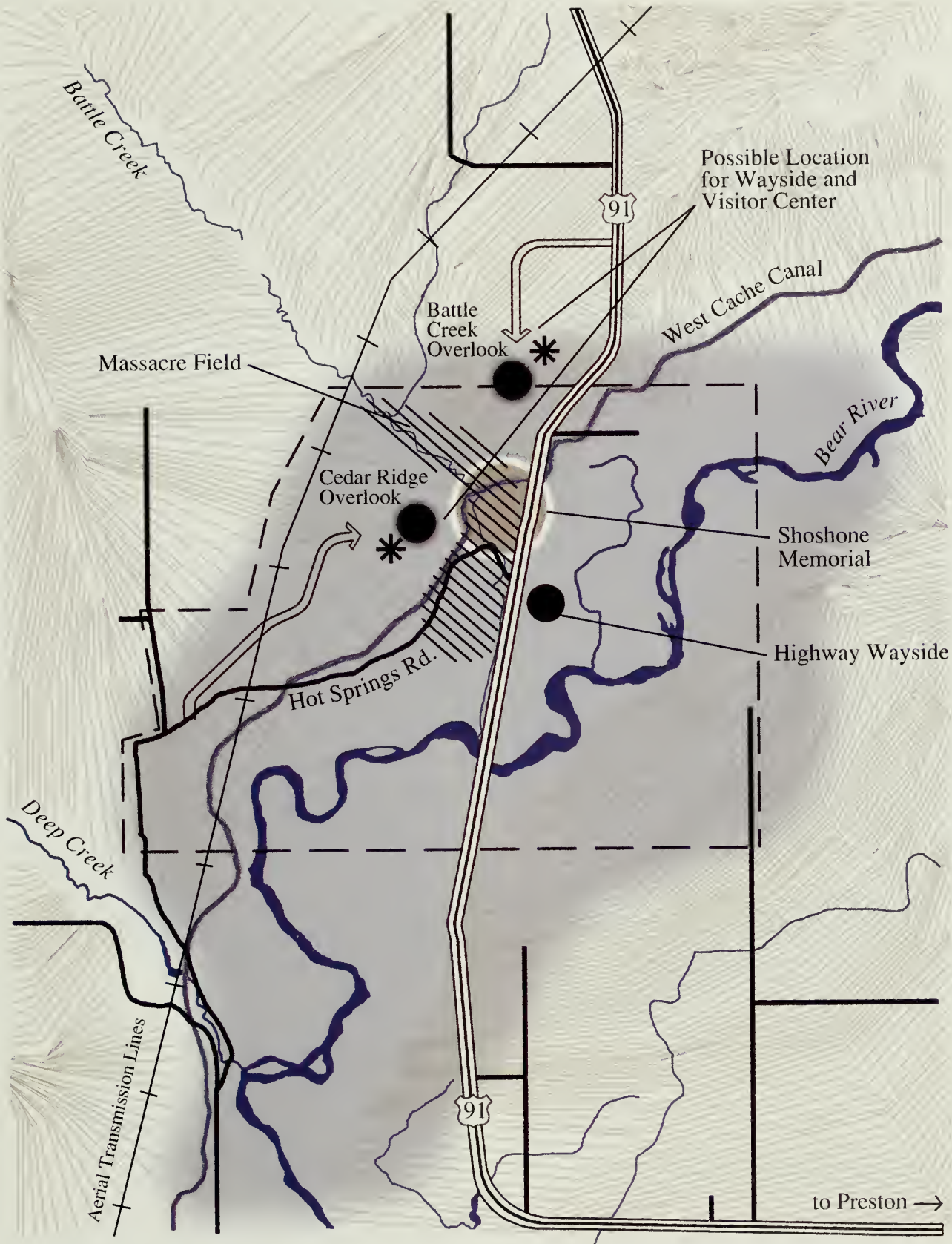
Visitor and Cultural Center

In order to depict the historical and social context of the massacre, and to present the variety of stories connected with it, a visitor center would be located on an overlook to the west or north of the massacre site, on Cedar Ridge or Battle Creek Bluff. Here the visitor could see and hear descendants of survivors tell their family stories on videotape. It would contain exhibits, a variety of interpretive media, an auditorium, space for cultural demonstrations, and sales of books and Shoshone crafts. It would also be a place to learn about related places and

events, including the location of the sites of historic events that led to the massacre. The visitor center would also provide space for administration offices.

A trail would lead to an overlook, where an overview of the massacre site could be obtained. Because it is within a short walking distance of being able to see the massacre site, interpretation at the visitor center would not have to duplicate some of that undertaken at the highway stop and near the massacre field. This wayside would provide a general overview of the massacre site, and would help the visitor understand why the Shoshone were encamped at that location, the size of the village, what the troop movements were, and what escape routes were used.



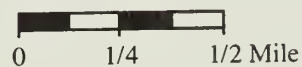


ALTERNATIVE 3

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In an associated cultural center, visitors also could obtain an understanding of Shoshone ways of life at the time of the massacre through cultural demonstrations. While occupying the same structure as the visitor center, the space would remain separate and distinct. In keeping with the joint management concept of this alternative, the cultural center would be operated and staffed by Shoshone people, and would have a Shoshone name.

Roads and Trails

Upgrades and possibly new construction would be necessary to a road going to the visitor center and overlook, including Hot Springs Road, if the Cedar Ridge overlook is selected as a visitor center location.

The parking lot at the highway wayside would be redesigned. A small pulloff to accommodate a van for guided tours may be provided in the immediate vicinity of the massacre field. In addition, a parking lot sized for projected visitation would be necessary at the visitor center site.

Limited trail access would be made available to the visitor at the overlook viewpoint. There would be no other trails, and undesignated trails would be discouraged through fencing, signs, and the sacred ground message.

SHOSHONE ACCESS

After the purchase of conservation easements or fee title interest of the massacre field, Shoshone people would be granted access for the conduct of appropriate ceremonies and cultural practices.

MANAGEMENT

The site would be a designated national historic reserve under NPS management. Partnerships would be developed with the Shoshone tribes and the landowners as articulated through a management plan and subsequent agreements prepared after the legislative designation of the site. The National Park Service would meet on a regular basis with both the landowners and the tribes. The Park Service would seek advice and input from the tribes on matters pertaining to cultural resource management and interpretation.

The National Park Service would be responsible for resource protection, research, development of interpretive facilities, park planning, site management, visitor contact, administration, and facility maintenance.

All staff would be provided and paid for by the National Park Service except in the Shoshone cultural center. The park would be administered by a superintendent and administrative, resource management and protection, interpretive, and maintenance staff. Preference in hiring would be given to the local community and the Shoshone tribes in the NPS operations.

A paid Shoshone staff person would oversee the operations of the Shoshone aspects of the cultural center and interact with the NPS interpretive staff. Interpretive programs and other aspects of park operations would involve Shoshone people and members of the local community.

Volunteers could be used in either the visitor center or the cultural center, but the operations of these facilities would not depend on the presence of volunteers.

Cultural Landscape

Protection of the cultural landscape would be accomplished through a combination of easement and the fee title purchase by the National Park Service. In areas where the Park Service acquires conservation easements from willing sellers, design guidelines would be developed as a part of the easement conditions. These guidelines would be developed by the National Park Service and landowners working with officials of Franklin County and the Idaho state historic preservation officer.

Boundary

The boundary would be configured to protect the cultural resources and the cultural landscape as seen from bluffs to the west and north of the site. This area encompasses approximately 1,100 hectares (2,725 acres) of land.

The land proposed for fee simple ownership by the National Park Service would be approximately 8–14 hectares (20–35 acres) for the visitor and cultural center, and parking and as many as 58 hectares (144 acres) of the massacre field, depending on the consent of the owner. In some cases, landowners may be willing to sell easements to the massacre field. This option would also be considered. Other land within the designated boundaries could remain in private ownership. The acquisition of easements or fee title would be used to extend the provisions of the Native American Graves Protection and Repatriation Act to the massacre field and to facilitate Shoshone access. Another objective would be to return the massacre field to natural conditions where the National Park Service has acquired either fee

title or conservation easements that could achieve those purposes. Compatible agricultural use could still continue elsewhere within the reserve, even where conservation easements were acquired. The use of any other property for upgrading roads, a roadside pulloff, or constructing the Shoshone Memorial would also be acquired primarily through the purchase of easements.

The NPS policy is to use the willing seller/willing buyer method to purchase fee simple and less-than-fee interests (e.g., easements) in land. The National Park Service would also accept donations and use land exchange techniques to acquire interest in land from willing parties.

IMPACT ANALYSIS

As stated in the section on “Environmental Consequences of all Alternatives,” this special resource study is conceptual in nature, and this environmental analysis presents only an overview of the potential impacts relating to the proposed actions for each alternative. If the Bear River massacre site is designated a unit of the national park system, more specific management plans would be undertaken. Future planning efforts would evaluate specific environmental impacts of the actions proposed in this alternative. In the process, mitigation measures would be analyzed and developed for public comment.

Impacts on Cultural Resources

As in alternatives 1 and 2, there is a potential for the disturbance of human remains and archeological resources at the proposed Shoshone Memorial, and at the location of any necessary road

improvements. As described in previous alternatives, the design of these improvements would be accomplished on federal or state lands so as to avoid all ground disturbance and to comply with all applicable federal and state laws. Only if ground disturbance becomes unavoidable would archeological survey, testing, and monitoring in coordination with Shoshone Tribes be undertaken.

A memorandum of agreement would be entered into between the National Park Service and the Shoshone tribes to establish procedures should human remains be found during any ground-disturbing activities on federally owned land at the massacre field or elsewhere within the designated site boundaries.

This alternative allows for more tribal involvement than in alternative 1, and a similar amount of involvement to that in alternative 2, with one important difference. The tribes and the National Park Service, as a federal agency, enjoy a special government-to-government relationship as a result of the many treaties and agreements that have been negotiated with them. This relationship was reaffirmed in a memorandum dated April 28, 1994, from the President of the United States to all federal department and agency heads directing them to consult with tribes about actions that could affect them, especially in matters of concern to their cultural heritage. This relationship automatically establishes a mechanism for the Shoshone to voice their concerns and to ensure their concerns are heard if the area is designated a unit of the national park system, as in this alternative.

In addition, Shoshone people would be involved through the development of a memorandum of agreement for the treatment

of human remains and archeological materials, through their active partnership with the National Park Service, and through their participation in the cultural center. Shoshone people would also be consulted in the preparation of interpretive programs and media. In addition, Shoshone people would be given employment opportunities in the cultural center, as well as in the park operation and interpretive programs. They would also be allowed access to the massacre field for the conduct of appropriate ceremonies and cultural practices as the acquisition of conservation easements or fee title interests permit.

A number of cultural resource studies are proposed in this alternative to provide information necessary to manage and protect the resources, and to properly evaluate impacts of proposed actions in future environmental analyses of management plans that would follow designation of a unit of the national park system. These studies would be conducted in consultation with the Idaho state historic preservation officer, as required by sections 110 and 106 of the National Historic Preservation Act, and the Shoshone tribes. As in alternative 2, Shoshone cultural advisors would be consulted in all studies related to the Shoshone, and cultural sensitivities about the studies would be respected. The collection of oral histories and other ethnographic information, in particular, would conform to confidentiality concerns of the Shoshone people.

In addition, landowners' and residents' permission to conduct field surveys would always be sought before entering private land.

The visitor and cultural center would be located away from the edge of the bluff,

partially to avoid impinging on the cultural landscape as seen from the massacre field. If it is not possible to accomplish this goal, then appropriate design, screening, and other mitigation measures would be developed.

Modern intrusions, in particular the West Cache Irrigation Canal and the highway, and the proposed highway wayside would be screened with appropriate vegetation to mitigate their impact on the scenic qualities of the landscape. From the massacre field, the canal's eastern embankment appears as if it were a part of the slope of the surrounding bluffs, so it does not appear intrusive. The canal runs along the very base of Cedar Ridge, and appears only as a small stream from the top of the ridge. It does not constitute a major intrusion on the scene from that viewpoint. It is much more noticeable from the Battle Creek overlook, and there would probably be no measures that could mitigate its impact on the cultural landscape as seen from that location.

Impacts on Natural Resources

Impacts on natural resources would be similar to alternative 2 except that easements and property acquired in fee simple on the massacre field might be maintained in a more natural or undeveloped condition. This would result in a more heterogeneous natural landscape with diverse habitats that would benefit wildlife. A small area of wetlands within the massacre field would be expected to recover to more natural conditions.

The visitor and cultural center, possible new road construction, the Shoshone Memorial, and the wayside along the highway would be sited on previously disturbed agricultural lands and would not adversely impact

biologic diversity, wetlands, or floodplains. A visitor and cultural center sited on the bluff overlooking Battle Creek or on Cedar Ridge would not affect floodplains or wetlands along Bear River.

All trails and facilities at either the Battle Creek or Cedar Ridge overlooks would be located to avoid the geologic hazards near the slopes of Bear River and Battle Creek.

In accordance with National Park Service Special Directive 87-4 (Dams and Appurtenant Works – Desk Manual for Maintenance, Operation and Safety) and National Park Service Guideline 40 (*Dams and Appurtenant Works, Maintenance, Operation and Safety*, 1983) a survey would be performed for stream flow control structures that could affect park safety, operations, maintenance, or resources.

Although no hazardous materials were observed or reported during visits to the area, the National Park Service would conduct a level 1 preacquisition survey to verify that there are no hazardous materials present, prior to any land acquisition. Several private dumps have been identified in the study area. It is not known whether any contain hazardous substances. Prior to acquisition of any of these properties, all hazardous material would be remediated according to applicable state and federal laws.

Impacts on Visitor Experience

This alternative would provide more opportunities to visit, understand, and appreciate the Bear River massacre with minimal distractions from current land uses and new development than is currently available. A trail to an overlook near the

visitor center would enhance the interpretive opportunities at the reserve.

Impacts on Socioeconomic Environment

The benefit to the local economy would be similar to alternative 2. Less building materials and labor would be necessary because there would be no additional wayside, trails, and parking lot on the massacre field. As in alternative 2, increased interpretive opportunities could result in an increase in visitation to the area and more sales taxes and revenues to benefit the local economy. Businesses along travel routes would also benefit from increased tourist volumes.

At their own discretion, private landowners would remain on their land and use it for compatible purposes, but there would be more restrictions on the types of uses than in alternatives 1 and 2. Easements acquired from willing sellers would restrict further development and other incompatible activities within the reserve and would help protect prime farmlands from being converted to nonagricultural uses. The potential for trespass on private land would be reduced with additional signs and fencing.

Approximately 58 hectares (144 acres) of conservation and scenic easements or fee title would be purchased to protect the massacre site. Another 8–14 hectares (20–35 acres) would be purchased in fee simple to build the visitor and cultural center at either the Battle Creek or Cedar Ridge overlook areas. The development rights of the remaining 990–1,015 hectares (2,450–2,510 acres) of land within the boundaries would also be purchased from willing sellers. The landowners would be compensated for the fair market value of

their land. The latter action would remove a small amount of prime farmland from agricultural production and reduce local agricultural revenues. On the other hand, the purchase of development rights would guarantee that most prime agricultural land would remain in production, and not be lost to subdivision or other commercial enterprises in the future.

Willing seller provisions and congressional appropriation procedures would protect private landowners' rights. These rights would be strengthened by means of regularly scheduled cooperative activities with the National Park Service. Signs and fencing to protect private property would be provided upon request. Visitor access would be structured so as to avoid all private property. In addition, interpretive media would stress the importance of respecting landowner property rights and the sacred ground. Any hardship on landowners created by Shoshone access for the conduct of appropriate ceremonies and cultural practices would be compensated through the acquisition of conservation easements from willing sellers. Scenic guidelines would be developed by the National Park Service with extensive involvement by the affected landowners. Zoning, developed by local government, could assist protection in the reserve by prohibiting new development not consistent with agricultural pursuits (e.g., housing subdivisions, RV parks, commercial enterprises). Covenants and easement terms and conditions could be designed to protect landowners, as well as the cultural landscape.

The land for the visitor and cultural centers and portions of the massacre field would be acquired through fee simple acquisition, federal land exchange, or through donation from a willing seller. The location would be

determined by a willing owner after design constraints and interpretive criteria have been assessed. Appropriate signs and fencing of private land adjacent to the visitor and cultural centers, waysides, Shoshone Memorial, and trail would be provided.

Impacts on Transportation

Impacts from traffic would be similar to alternative 2. An additional road may need to be built to the visitor and cultural center. This action would result in increased road maintenance costs.

FEASIBILITY

General Considerations

This alternative recommends boundary configurations of sufficient size to ensure long-term protection of resources, through the acquisition of a combination of fee simple title and conservation easements to extend national historic preservation law beyond property held by the National Park Service to private property within the boundaries of the reserve. It is also appropriately sized to accommodate public use.

The concerns of Shoshone people living in Idaho, Wyoming, Utah, and Nevada would be given the attention that a national perspective could provide, unlike the no-action alternative and alternatives 1 and 2.

Cost Considerations

Operational costs would be similar to those described in alternative 2, except that the operation and staffing of the cultural center

would be borne by one or more of the Shoshone tribes, instead as a cooperative effort between the tribes and pioneer descendants associations. Operations are estimated at \$375,000 a year.

The funding of cultural resource inventory studies would be a one-time cost of about \$400,000.

Project-related costs would include the design and construction of the visitor and cultural center and attendant parking. If the visitor and cultural center is located on the Cedar Ridge, approximately 0.8 kilometers (1/2 mile) of gravel road would require improvement and an additional 0.8 kilometers (1/2 mile) of new road would be constructed. If the visitor and cultural center is built on the Battle Creek overlook, as much as 1.6 kilometers (1 mile) of new road would be required. About 1.6 kilometers (1 mile) of Hot Springs Road would also require improvement. Additional project costs would also include design and construction of wayside exhibits, redesign of the highway wayside, and provision of a small pullout at the massacre site. The design and construction of the Shoshone Memorial is also considered a cost of this alternative. Total development costs are estimated between \$8.9 million and \$11.5 million.

Approximately 8–14 hectares (20–35 acres) of land would be acquired in fee simple for the construction of a visitor and cultural center. A combination of fee title and easement acquisition would be acquired from willing sellers for as many as 85 hectares (144 acres) of the massacre field. Easements would be required for the improvement and/or construction of roads to the proposed visitor and cultural center site for a total of between 80 and 95 hectares

DESCRIPTION OF THE ALTERNATIVES

(200–235 acres) of easements. Development rights would also be purchased for the remaining 990 to 1,015 hectares (2,450–2,510 acres) in the historic reserve boundary.

All funding for this proposal is assumed to be provided through federal appropriations to the National Park Service. Some project

and cultural resource inventory funding could be provided through historic preservation grants to NPS partners, possibly supplemented with private donations. Numerous nonfederal partners may also provide financial and human resources to assist in the protection and commemoration of the site.

ALTERNATIVE 4: NATIONAL HISTORIC SITE

CONCEPT

This alternative would maximize the protection of resources and visitor experience by NPS acquisition of the massacre field in fee simple. The pre-massacre landscape would be restored to the extent feasible to enhance visitor understanding of the event. Present agricultural use of most of the land would continue outside of the 58 hectares (144 acres) comprising the massacre field. A new trail following the existing irrigation canal would allow the visitor to spend more time near the massacre field without impinging on its sacred qualities. A visitor center situated on one of the surrounding bluffs would provide contextual and varied stories. A separate cultural center operated by Shoshone people would provide for a more in-depth understanding of Shoshone life. A memorial commemorating the Shoshone dead would be provided.

Most land would remain in private ownership, except for a visitor and cultural center site of 8–14 hectares (20–35 acres), and 58 hectares (144 acres) on the massacre field. The area would be managed by the National Park Service in partnership with the landowners. Residents and landowners would be given a voice in the management of the area, and the Shoshone people would be given a voice in the protection and interpretation of cultural resources.

RESOURCE PROTECTION

Where acquired from willing sellers, the massacre field would be protected by federal acquisition, thereby assuring that all federal

historic preservation law could be applied, including all provisions of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act. As all overlooks would be utilized, a somewhat larger cultural landscape would be defined than in alternatives 1 and 2. Onsite park staff would monitor the condition of resources.

As in alternative 3, areas of the cultural landscape outside the massacre field would be proposed for the purchase of conservation easements to preclude most future development, but retain most agricultural use of the land.

The same cultural resource studies proposed in alternative 3 would be conducted in this alternative in order to provide information necessary to manage and protect the resources, and to properly evaluate impacts of proposed actions in future environmental analyses. In addition, a cultural landscape report would be required. This latter study is a more detailed investigation undertaken when the restoration of a cultural landscape is contemplated.

VISITOR EXPERIENCE

The objectives of this alternative would be to allow the visitor to be near the sacred ground and to be able to see what the landscape looked like at the time of the massacre. The stories of individual events during the massacre could be told in the vicinity of their occurrence to provide a direct connection between events and places.

Highway Wayside

The basic story of what happened on the day of the massacre would be told at a highway wayside in order to orient visitors. This wayside would also serve as a trailhead location. To prevent visitors from crossing the highway to reach the trailhead, the new wayside would be located on the west side of the road somewhere north of the intersection between U.S. highway 91 and Hot Springs Road. Interpretive displays would include an orientation map and a message urging visitors to respect private property and the sacred nature of the massacre field. Directions would be provided on how to access other waysides, trails, and the visitor center.

Massacre Field Trail and Waysides

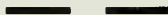





The highway wayside would also provide a departure point for a trail skirting the massacre field in the vicinity of McGarry's line, then climbing onto a trail built on top of the irrigation canal. This canal would be covered and landscaped to keep it from intruding on the cultural landscape. Visitation would be structured with respect paid to the sacred nature of the ground and the private property in the vicinity. The trail would allow visitors to be near the massacre field, but not directly on it, thus respecting the sacred quality of the area.

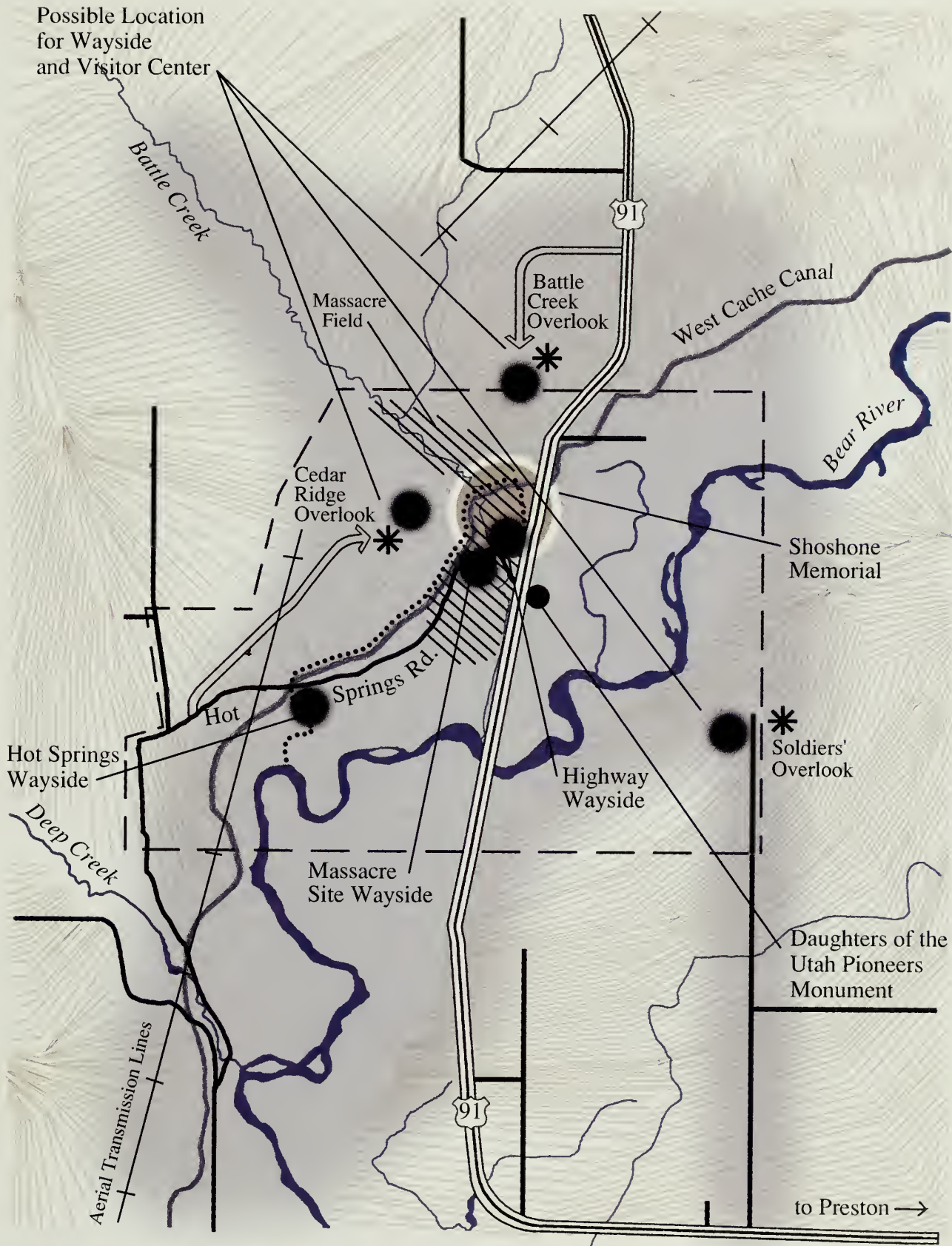
Additional waysides would be placed along the trail and at the hot springs to provide interpretation of individual events that occurred during the massacre, and to present some of the Shoshone versions. Emphasis for interpretation would focus on specific events that took place on the field, the Shoshone experience of the massacre, and details of how they used the resources and

the landscape. The sacred ground message would be emphasized.

Landscape Restoration

With the presence of the massacre field interpretive trail, visitors would have an opportunity to spend more time near the place where the massacre occurred than in any of the previous alternatives. There they would gain an appreciation of how the landscape and vegetation influenced both Shoshone use of the local resources, and the events of the massacre itself. With a longer visit to the site, a more intimate interaction with the landscape, and greater detail about uses and events related to the landscape, the existing agriculturally oriented landscape becomes an impediment to understanding the story of the massacre. To the extent possible, therefore, the landscape on the massacre field would be restored to a condition approaching that of the time of the massacre.

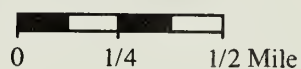
	National Historic Landmark Boundary
	Trail
	Improved Gravel Road
	Visitor Center / Cultural Center
	Proposed Wayside
	Study Boundary



ALTERNATIVE 4

Bear River Massacre Site

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Especially important would be the restoration of the willow thickets that the Shoshone used for cover from inclement weather, and which Colonel Connor mistook for fortifications. The presence of these willows affected many of the events that transpired during the massacre, from the way the initial confrontation was waged to enabling escape of some of the survivors.

The landscape restoration would also mitigate the adverse effects perceived by some Shoshone people that the agricultural use of the massacre field is disrespectful of the Shoshone people who died there.

Restoration of the pre-massacre landscape would consist primarily of removing nonnative plant species and farm structures, and encouraging the growth of willows and other native plants in appropriate areas of the field.

Landscape restoration would conform to NPS *Management Policies* that "restoration is essential to public understanding of the cultural associations of a park" (NPS-2, 1988). Furthermore, it would be undertaken only if the cultural landscape report indicated that sufficient data existed to permit restoration with minimal conjecture.

To elaborate on the visitor experience in this regard, economic incentives, such as the purchase of scenic easements, would be provided to encourage nearby, willing landowners to allow their land to return a pre-massacre vegetation cover.

Shoshone Memorial

A memorial commemorating the unburied Shoshone dead left after the massacre would be placed on or near the massacre field.

Besides acknowledging the tragedy of the event, this memorial would provide an additional emotional connection to the massacre event. The location and design would be developed by the National Park Service in partnership with the Shoshone people. The memorial may or may not be placed adjacent to the massacre site wayside, depending on the wishes of the Shoshone people.

Visitor Center

In order to present the complicated social and historical context of the massacre, as well as differing versions of the massacre event itself, a visitor center would be located on one of the bluffs overlooking the massacre field (the Soldiers' Overlook, Cedar Ridge overlook, or the Battle Creek overlook). It would include exhibits, cultural demonstrations, a variety of interpretive media, an auditorium, and book sales. Emotional connection to the event would be enhanced through audiovisual media and personal services, where the visitor could see and hear descendants of survivors tell their family stories. Because it is within a short walking distance of being able to see the massacre site, interpretation at the visitor center would not have to duplicate some of that undertaken at the highway wayside and near the massacre site. It would also be a place to learn about related places, especially those associated with events leading up to the massacre. The visitor center would also provide space for administrative offices.

To demonstrate the equal emphasis on interpretation of Shoshone, settler, emigrant, miner, and soldier versions of the massacre event, interpretive panels would be bilingual, in both Shoshone and English.

Overlook Waysides

A trail would lead from the visitor center to an overlook, where an overview could be obtained. A wayside would provide a general overview of the massacre site, and help the visitor understand why the Shoshone were encamped at that location, how big the village was, what the troop movements were, and what escape routes were used.

One additional overlook wayside would be provided at another overlook to provide a different perspective on the massacre. Parking would be available away from the bluff, with access by trail.

Cultural Center

A cultural center devoted to portraying the lifeways of the Shoshone people would be provided in conjunction with the visitor center. It would probably be located in a structure connected to the visitor center, but clearly separate from it. In this alternative, the cultural center would be devoted entirely to depiction of Shoshone culture and not shared with other cultural demonstrations. The facility would become the repository for the Shoshone oral history of the massacre. The center would have a Shoshone name and would be operated by Shoshone people.

Roads and Trails

The visitor experience on site would be a combination of trails and personal vehicles. Visitors, if they wished, could view the entire site on foot. Only those off-highway roads that provide access to overlooks or waysides would be necessary.

A parking lot would be required at the highway wayside and head of the covered canal interpretive trail beside the massacre field. With the cooperation of the Daughters of the Utah Pioneers and the Idaho Department of Transportation, the existing parking lot at the DUP monument would be redesigned to accommodate short visits, and to eliminate a conflict of use with nearby property owners. Smaller parking lots would be provided at the hot springs waysides, and possibly the Shoshone Memorial. In addition, a larger parking lot would be necessary at the visitor center site.

Some upgrading of Hot Springs Road from its intersection with U.S. highway 91 to the hot springs may be necessary to handle visitor traffic.

Additional upgrades and possible new construction of roads would be necessary to the visitor center and an additional overlook.

An interpretive trail would be constructed on top of the existing irrigation canal, on a structure that covers the canal. This trail would provide excellent views of the massacre field without impinging on the sacred ground. It would permit the visitor to be close to the massacre ground without touching it. Other, smaller trails may feed off the primary trail leading to the hot springs area or to routes taken by survivors who escaped the massacre. Short trails would also be constructed from the visitor center to an overlook, and from a parking lot to another overlook on one of the other bluffs in the area.

SHOSHONE ACCESS

As would be provided for in the legislation creating the park unit, and once the

massacre field has been acquired in fee simple, Shoshone people would be able to go onto it to conduct appropriate ceremonies and cultural practices without first seeking permission. Private landowners would not be affected by this access because the land would be owned in fee simple by the National Park Service.

MANAGEMENT

The site would be a designated federal site under NPS management. Partnerships would be developed with the Shoshone tribes and the landowners through a management plan prepared after the legislative designation of the site. The National Park Service would meet on a regular basis with both the landowners and the tribes, and under conditions stipulated in the management plan. The Park Service would seek advice and input from the tribes on matters pertaining to cultural resource management and interpretation. The Park Service would routinely seek advice and input from the landowners on matters related to their interests, especially in the development and management of scenic and design guidelines.

The National Park Service would be responsible for resource protection, research, development of interpretive facilities, park planning, site management, visitor contact, and facility maintenance.

All staffing would be provided by the National Park Service, except at the cultural center, which would be staffed by Shoshone people. In addition, some other NPS staff members may also be Shoshone. Preference would be given to the hiring of Shoshone tribal members in the cultural center, with the eventual goal of having the entire cultural center operated by Shoshone

people. In addition, Shoshone people would be given employment opportunities in the park operation and interpretive programs.

Cultural Landscape

Protection of the cultural landscape outside the massacre field would be established through scenic and design guidelines reinforced with economic incentives, such as the purchase of easements. The covenants and guidelines would be developed by the National Park Service in cooperation with the landowners and Franklin County government. New development not consistent with agricultural pursuits (e.g., subdivision housing, RV parks, river running) would be prohibited within the cultural landscape. Design guidelines would protect the cultural landscape, but a landowner's ability to adapt to changing technologies would not be curtailed, except in those instances where the technology clearly impinged on the values of the cultural landscape.

Boundary

The boundary would include all of the study area. It would be configured to protect the cultural resources in the national historic landmark, additional cultural resources outside the landmark, and a cultural landscape. The cultural landscape is the same as in alternative 3, and would be determined by the locations of a proposed visitor center overlook and one additional overlook. The boundary as a whole would be somewhat larger than in alternative 3.

NPS fee ownership would be proposed for the massacre field (58 hectares or 144 acres) and a small parcel for the visitor center,

cultural center and attendant parking lots (8–14 hectares or 20–35 acres). Other property could remain in private ownership, but new development would be restricted through NPS acquisition of development rights in order to protect the cultural landscape.

The remaining 1,175 to 1,200 hectares (2,900–2,975 acres) of land within the boundary of the historic site would be acquired as conservation and scenic easements.

The National Park Service would use the willing seller/willing buyer method to purchase fee simple and easement interests in land. The Park Service would also accept donations and use land exchange techniques to acquire interest in land from willing parties. As with alternative 3, a provision in the legislation would also allow the purchase, trade, or acquisition of easements from willing sellers within the historic site boundary.

IMPACT ANALYSIS

As stated in the section on “Environmental Consequences of All Alternatives” and in alternative 3, this special resource study is conceptual in nature. This environmental analysis presents only an overview of the potential impacts relating to the proposed actions for each alternative. If the Bear River massacre site is designated a unit of the national park system, more specific management plans would be undertaken. Future planning efforts would evaluate specific environmental impacts of the actions proposed in this alternative. In the process, mitigation measures would be analyzed and developed for public comment.

Impacts on Cultural Resources

As in all previous alternatives, there is a potential for the disturbance of human remains and archeological resources at the proposed Shoshone Memorial, the location of any necessary road improvements. In addition, there is a somewhat lesser potential for disturbance of these remains and resources from the parking lot on the west side of the highway, appurtenant exhibits, and the trail to the irrigation canal. As described in previous alternatives, the design of these improvements would be accomplished on federal or state lands so as to avoid all ground disturbance and to comply with all applicable federal and state laws. Only if ground disturbance becomes unavoidable would archeological survey, testing, and monitoring in coordination with Shoshone Tribes be undertaken.

A memorandum of agreement would be entered into between the National Park Service and the Shoshone tribes to establish procedures should human remains be found during any ground-disturbing activities on federally owned land at the massacre field or elsewhere within the designated site boundaries.

The highway wayside, exhibits, parking, and trailhead would be placed outside the massacre field.

This alternative allows for more tribal involvement than in any of the other alternatives. As stated in alternative 3, the formalized government-to-government relationship between the National Park Service and the Shoshone tribes guarantees the tribes access to NPS decision-making processes. In addition, tribal involvement in resource management issues would be through the memorandum of agreement for

the treatment of human remains, through their representation at regularly scheduled meetings established in a management plan, and through their staffing and oversight of the cultural center. Shoshone people would also be consulted in the preparation of any interpretive media at the visitor center and in the waysides. Finally, Shoshone people would be given employment opportunities in the cultural center, as well as in the park operation and interpretive programs.

As in alternative 3, a number of cultural resource studies are proposed in this alternative, in order to provide information necessary to manage and protect the resources, and to properly evaluate impacts of proposed actions in future environmental analyses for the management plans that would follow designation of a unit of the national park system. These studies would be conducted in consultation with the Idaho state historic preservation officer, the Shoshone tribes, and in cooperation with landowners and residents as described in alternative 3.

Restoration of the pre-massacre landscape would only be undertaken upon completion of a cultural landscape inventory and a cultural landscape report as defined in the National Park Service's *Cultural Resource Management Guideline* (NPS-28, 1994). These studies would determine whether sufficient data exist to permit restoration with minimal conjecture. The NPS guideline stipulates that landscapes can only be restored if they meet certain criteria. Particularly applicable are criteria that the re-creation would not affect significant cultural landscapes of a later period, and would not create an inaccurate view of history by combining later landscape features with the created landscape.

If, for instance, it was discovered that existing structures on the massacre field possessed historical significance separate from the massacre event, then the need for landscape restoration may be reevaluated. As stipulated by regulations and agreements pertaining to the National Historic Preservation Act, these studies would be conducted in consultation with the Idaho state historic preservation officer and the Shoshone tribes.

It would not be possible to remove the West Cache irrigation canal from the massacre field, but the use of the canal as a trail and overlook onto the massacre field would mitigate its adverse impact on the pre-massacre landscape by being literally under the feet of the visitor instead of in the landscape being viewed. The use of appropriate landscaping materials would also be used to mitigate its visual impact on the cultural landscape, as viewed from one of the proposed overlooks. The canal itself would be further interpreted as the outcome of the massacre, because its occurrence opened up the area to farming.

The West Cache Irrigation Canal has not been evaluated for its historical significance. Given the fact that it and/or its predecessors have served the agricultural needs of the area for 85 years, it could be eligible to the National Register of Historic Places in its own right. Before the canal is covered, it would be evaluated by the criteria established by the national register. If found to be significant, the effects of this proposal on those qualities would be evaluated and mitigation measures would be developed in consultation with the Idaho state historic preservation officer and the Advisory Council on Historic Preservation.

As in alternatives 2 and 3, the impacts of U.S. highway 91 and Hot Springs Road on the cultural landscape would be mitigated through appropriate vegetative screening.

Impacts on Natural Resources

This alternative would provide for the protection of natural resources by returning portions of the landscape to its pre-massacre condition. The trails, waysides, and visitor and cultural centers at either the Soldiers' Overlook, Battle Creek overlook, or the Cedar Ridge overlook would be sited to avoid any local geologic hazards. Siting of this facility, design considerations, and mitigation for the geologic hazards would be identified during later planning stages.

Land acquired in fee simple or through conservation easements within the national historic landmark from willing sellers would be maintained or restored to more natural conditions. This action would result in a more heterogeneous natural landscape with diverse habitats that would benefit wildlife including the pygmy rabbit and northern sagebrush lizard. Wetlands, riparian communities, and floodplain habitat would also be expected to recover to more natural conditions benefiting dependent wildlife. Bald eagles and peregrine falcons would benefit from the increased diversity and abundance of prey as vegetation in the national historic landmark recovered to more natural conditions over time. Runoff from restored habitat would carry less agricultural related pollutants into Battle Creek and the Bear River.

Impacts from development and improvement of facilities under this alternative would be similar to alternative 2. In particular, waysides at the hot springs, massacre site,

highway, and visitor center, and possible new road construction would be located on previously disturbed agricultural lands and would not adversely impact biologic diversity, wetlands, or floodplains. A foot trail constructed on a new structure covering the irrigation canal would have the positive effect of removing a visual intrusion that currently detracts from the visual qualities of the massacre site. The visitor and cultural centers sited on any of the bluffs overlooking the site would not affect floodplains or wetlands in or along Bear River.

As in alternative 3, agreements would be negotiated between the National Park Service and the West Cache Irrigation Canal authorities to determine appropriate rights and responsibilities for the canal as it passes through the massacre field area.

Also as in alternative 3, a survey would be performed for all stream flow control structures that could affect park safety, operations, maintenance, or resources.

As in alternative 3, the National Park Service would conduct a level 1 pre-acquisition survey to verify that no hazardous materials are present, prior to any land acquisition.

Impacts on Visitor Experience

This alternative would provide excellent opportunities to visit, understand, and appreciate the Bear River massacre while reducing some distractions from conflicting land uses and development. Restoration of portions of the area to its pre-massacre landscape would eliminate many of the current visual distractions in the area, and which adversely affect the quality of the

longer and more intimate visitor experience envisioned by this alternative. Protection of existing scenic resources would be accomplished through local government zoning, covenants, and design guidelines enforced through conservation and scenic easements. Besides the previously mentioned waysides and trails, three scenic overlooks and the visitor and cultural centers would be built to enhance the visitor's experience. A trail network linking the waysides, overlooks, massacre site, and visitor and cultural centers would provide the visitor the greatest opportunity of any of the alternatives to better understand the historical event. Interpretive media at the national historic site would place the massacre into its proper historical context and would provide the greatest chance to learn about the historic and present Shoshone culture. Regional recreational activities would also be promoted and publicized.

Impacts on Socioeconomic Environment

This alternative would result in the greatest benefit to local and regional economies. There would be increased sales and tax revenues, employment of several paid staff at park facilities, and additional annual operating expenditures at the visitor and cultural centers. Associated visitor related facilities such as an additional hotel, a restaurant, a service station, and a convenience store would also benefit the local economy. Facilities along travel routes to the historic site would also benefit from increased tourist volumes.

This alternative offers landowners the flexibility to remain on their land and use it for compatible purposes, but with more restrictions than the other alternatives. To

protect the scenic quality of the site, scenic and design guidelines would be developed in cooperation with the landowners. Franklin County would also be involved in the development of the guidelines, as regulatory control through zoning and covenants would remain at the local level. Reduced trespass on private land would be offered through signs and fencing. Conservation and scenic easements would protect prime farmlands from being converted to nonagricultural uses.

Through time, natural vistas would be enhanced as the massacre site is acquired and restored to its pre-massacre condition. As property is acquired over the long term, private landowners would be compensated for the fair market value of the land. Because the massacre field would be removed from agricultural production, it would have an adverse impact on prime farm land. There would also be a minor loss of property tax revenues and agricultural related employment as this land is purchased and converted to park land.

This alternative protects private landowners' rights through their involvement in devising and enforcing scenic protection and design guidelines, and in the financial compensation offered to landowners where fee title or partial interest is obtained from willing sellers. As in the other alternatives, signs and fencing to protect private property would be provided upon request. Visitor access would be designed so as to avoid private property. In addition, interpretive media would stress the importance of respecting landowner property rights and the sacred ground.

Scenic and design guidelines would be developed by the National Park Service in partnership with the landowners. The purchase of conservation and scenic

easements throughout the historic site would ensure that no new development occurred that did not conform to the guidelines (e.g., housing subdivisions, RV parks, commercial enterprises). Existing agricultural pursuits and future changes in conformance to new technology would be allowed, as long as they did not violate the guidelines.

Guidelines would be designed to protect landowners as well as the cultural landscape.

The site of the visitor and cultural centers would be acquired through fee simple acquisition, federal land exchange, or through donation from a willing seller. The location would be determined by a willing owner in a location that meets design criteria.

Impacts on Transportation

Impacts from traffic would be similar to but greater than alternative 2. A new road may need to be built to the visitor and cultural center, and road upgrades and maintenance would be required on the roads leading to the additional scenic overlooks. This alternative would result in the greatest increases in traffic and maintenance of the local roads and parking lots within the national historical landmark boundaries.

FEASIBILITY

General Considerations

The feasibility of adding a unit to the national park system under this alternative is similar to that described for alternative 3. Because the alternative entails more development and the acquisition of more land in fee simple and through easements,

cost considerations would be greater. However, this alternative provides the greatest degree of protection for human remains and the massacre field as a whole, the best potential for interpreting the complex story of context and background of the massacre, and a genuine opportunity for participation of the Shoshone people.

Cost Considerations

The operational costs of this alternative would be somewhat more than for alternatives 2 and 3, due to additional facilities that would need routine maintenance. Operational costs of the cultural center would be borne by the National Park Service, but the center would be staffed with Shoshone people. These costs are estimated at \$450,000 a year.

The costs of cultural resource inventory studies would be about \$500,000. This cost is greater under this alternative than in the previous alternatives because of the additional need for a cultural landscape survey and report.

As in alternatives 2 and 3, project-related costs would include the design and construction of the visitor and cultural centers and attendant parking. If the visitor center or additional overlook is located on the Cedar Ridge, approximately 0.8 kilometer (1/2 mile) of gravel road would require improvement and 0.8 kilometer (1/2) of new road would be constructed. If the these facilities are built on the Battle Creek Overlook as much as 1.6 kilometers (1 mile) of new road would be required. If they are located on the Soldiers' Overlook, approximately 3.2 kilometers (2 miles) of gravel road would need improvement.

Project costs would also include the design and construction of five wayside exhibits and a parking lot/trail head on the west side of the highway, the redesign of the DUP/DOT parking lot, provision of small pullouts at the hot springs wayside and possibly a parking lot or pullout at the Shoshone Memorial. The design and construction of the Shoshone Memorial would also be considered a cost of this alternative. Development costs for alternative 4 are estimated between \$11.8 million and \$14.4 million.

The 58 hectares (144 acres) comprising the massacre field would be acquired in fee simple. Approximately 8–14 hectares (20–35 acres) of land would likewise be acquired fee simple for the construction of the visitor and cultural centers. In addition, the

purchase of access easements might be required at all five waysides and Shoshone Memorial. Scenic, conservation, and road easements would be purchased for the remaining 1,175–1,200 hectares (2,900–2,975 acres) of land within the historic site boundary.

All funding for this proposal is assumed to be provided through federal appropriations to the National Park Service. Some project and cultural resource inventory funding could be provided through historic preservation grants to NPS partners, possibly supplemented with private donations. Numerous nonfederal partners may also provide financial and human resources to assist in the protection and commemoration of the site.

OTHER ALTERNATIVES CONSIDERED BUT REJECTED

The study team considered two other alternatives. Both alternatives would have provided similar physical facilities as proposed in alternative 4. The principal differences between alternative 4 and these alternatives were in the management, ownership, and acquisition of land.

TRADITIONAL NATIONAL HISTORIC SITE

Under this alternative, the National Park Service would purchase all of the land within the designated boundaries in fee simple and attempt to restore the entire cultural landscape to a condition approximating its appearance in the years immediately before 1863.

This alternative was rejected for several reasons:

- Most critical resources can be protected adequately under the alternative protection schemes outlined in alternatives 3 and 4, through the acquisition of conservation and scenic easements, and through the National Historic Preservation Act, which ties the protection of resources to federal undertakings. The massacre field and any human remains that lie there can be protected by acquisition of easements, as in alternative 3, or fee simple acquisition of just the massacre field, as in alternative 4, without having to acquire all land within the greater cultural landscape.
- By viewing the massacre field and the surrounding landscape from any of the overlooks described in the four

alternatives, the visitor can gain an appreciation of why the Shoshone were encamped at this location and the sequence of events, even without reconstructing the entire pre-massacre landscape. Modern intrusions, because they are agricultural in nature, or are long and linear, only slicing through the greater landscape (such as the highway and canal), are easily screened. It is not necessary to an appreciation of the event to fully reconstruct the landscape.

- The costs of acquisition in fee simple of all 1,250 hectares (3,085 acres) within the larger cultural landscape would be considerable.
- The removal of 343 hectares (850 acres) of prime agricultural land from agricultural use would constitute an adverse impact.
- It was not considered feasible to acquire all land from the 72 landowners within the larger cultural landscape within a reasonable length of time.

SHOSHONE TRIBAL PARK

This alternative was voiced as a possibility during meetings with Shoshone tribal council meetings and with individual Shoshone tribal members. Some Shoshone people expressed the strong belief that the land once belonged to the Shoshone, it was unjustly taken from them, and it should be returned. Because it is the place of death for so many of their ancestors, and because the massacre was a pivotal event in the history of at least four Shoshone tribes, the National

Park Service acknowledged that this alternative should at least be examined.

Under a tribal park alternative, interpretation of the massacre event would likely be oriented more towards the Shoshone viewpoint, and the purpose of the park would be primarily commemorative of the Shoshone people who were killed. The protection of the cultural landscape and other protection measures, facility development, and acquisition would be similar to alternative 4. Instead of NPS management, one of the four tribes or a cooperative effort between the tribes would administer the site. The cultural center would be dedicated to preserving and interpreting all aspects of Shoshone cultural heritage, not just those associated with the massacre.

This alternative was rejected for the following reasons:

- A paramount stipulation of a Shoshone people in a tribal park alternative would be that the land be owned by the Shoshone. As in the traditional national historic site alternative above, however, all resource protection and visitor experience goals could be accomplished through alternatives 2, 3, and 4 without acquisition of all land within the designated site boundaries.

- The land is currently in private ownership. Tribal ownership, or land held in trust by the federal government for the use of a tribe or group of tribes, would not accomplish the goal established by the vision statement of not unduly affecting the lives of people who now own and use the land.
- The National Park Service believes that a balanced presentation of all sides of the story leading up to and including the massacre event are crucial to providing all visitors with an understanding of why culture conflict has sometimes ended so tragically. Given tribal sensitivities to the massacre, it would be as difficult for them to present the soldier, settler, emigrant, and miner stories as it has been for the descendants of the settlers to present the Shoshone story.
- The tribes do not believe that they have the funding resources available to acquire the land, and to build and operate the facilities. Alternative acquisition of the land by the federal government and the placement of it into trust status for a tribe or tribes is unlikely.
- There is currently a lack of unity among the four tribes on the appropriate vision, goals, and management strategy for a tribal park.

Table 5: Summary of Alternatives

Table 6: Summary of Environmental Consequences of Alternatives

TABLE 5: SUMMARY OF ALTERNATIVES

ACTION ITEM	NO-ACTION ALTERNATIVE	ALTERNATIVE 1: HISTORIC SITE (MINIMAL ACTION)
CONCEPT	Commemorate the conflict with an emphasis on the role of early settlers and the military at a location near the event.	Interpret the massacre with a balanced basic story; provide some protection of cultural landscape; provide for local protection of resources; preserve all current landowner use.
RESOURCE PROTECTION	Limited to protection offered by national historic landmark destination and landowners.	Resources protected by landowners reinforced by local ordinances or state law.
CULTURAL LANDSCAPE PROTECTION	None	Rural agricultural landscape protected by voluntary design guidelines within national historic landmark boundary.
VISITOR EXPERIENCE	Roadside stop to learn that the massacre took place nearby.	Roadside stop with opportunity to see where events took place; visitor encouraged to respect private property rights.
INTERPRETATION	Story of what happened on day of massacre, emphasizing viewpoint of settlers and soldiers.	More balanced story; still limited to basics of what happened that day; some orientation provided.

ALTERNATIVE 2: STATE HISTORIC SITE	ALTERNATIVE 3: NATIONAL HISTORIC RESERVE	ALTERNATIVE 4: NATIONAL HISTORIC SITE
Interpret the massacre on site with balanced basic story, and on Soldiers' Overlook with the contextual story; commemorate the Shoshone dead; provide for state and landowner protection of resources including the cultural landscape; preserve most landowner use.	Interpret the massacre onsite with balanced basic story, and at Cedar Ridge or Battle Creek overlooks with the contextual story; commemorate the Shoshone dead; provide for federal and landowner protection of resources including the cultural landscape; limit visitation to the massacre field; preserve most landowner use.	Maximize protection of resources by placing critical resources within federal ownership; maximize visitor experience by telling story in place where it happened and by partially recreating the historic landscape; tell balanced, contextual story on one of three overlooks; preserve most landowner use.
Historic resources protected by state law, through conservation easements.	Historic resources protected by federal law through a combination of fee simple title and conservation easements.	Maximum protection of historic resources offered by federal laws through conservation easements.
Rural agricultural landscape protected by voluntary guidelines reinforced with economic incentives within the cultural landscape.	Rural agricultural landscape protected by a combination of fee simple title and design guidelines on conservation and scenic easements of the massacre field, and through NPS acquisition of development rights within the cultural landscape.	Pre-massacre landscape restored on massacre field; rural agricultural landscape protected by design guidelines on conservation and scenic easements within the cultural landscape.
Roadside stop with opportunity to see where events took place; visitors encouraged to drive through site while respecting private property rights; visitor and cultural center located on Soldiers' Overlook.	Visitation limited on the massacre field except for infrequent guided tours and special commemorative activities; visitor and cultural center are located either on Cedar Ridge or on Battle Creek overlooks.	Experience resources on the ground at a thorough and leisurely pace, at locations that maximize personal connection to the event and the site; receive understanding of context from all overlooks with visitor and cultural centers on one overlook; visitors encouraged to leave automobiles.
Balanced story with opportunity to learn social/historical context while overlooking site; emphasis remains on the conditions leading to the massacre and its immediate consequences; agricultural character of landscape provides opportunity to focus on long term outcome of the massacre, and changing land use by different people.	Same as alternative 2, except for allowing the portions of the massacre site in which National Park Service has fee title or easement interests to return to natural conditions.	Balanced story with opportunity to learn social/historical context while overlooking site at different location; site has been restored to its original appearance; emphasis on the original use of the land and its inhabitant; surrounding agricultural use emphasizes change in land use.

TABLE 5: SUMMARY OF ALTERNATIVES (CONT.)

ACTION ITEM	NO-ACTION ALTERNATIVE	ALTERNATIVE 1: HISTORIC SITE (MINIMAL ACTION)
FACILITIES AND SERVICES Waysides Visitor Center Cultural Center Shoshone Memorial Trails	DUP monument and DOT sign on highway None None None None	<ul style="list-style-type: none"> • East of highway wayside • On or near massacre field In Preston None Only if provided by Shoshone or private donation. None
MANAGEMENT	DUP and volunteers	DUP and local government
OWNERSHIP	Private	Private
BOUNDARY	Coincides with national historic landmark	Coincides with national historic landmark

ALTERNATIVE 2: STATE HISTORIC SITE	ALTERNATIVE 3: NATIONAL HISTORIC RESERVE	ALTERNATIVE 4: NATIONAL HISTORIC SITE
<ul style="list-style-type: none"> • East of highway at DUP monument • On or near massacre field • Overlook <p>On Soldiers' Overlook</p> <ul style="list-style-type: none"> • Shared with visitor center • Includes both Shoshone and settler demonstrations <p>Yes</p> <ul style="list-style-type: none"> • Visitor center/cultural center to overlook • Limited in vicinity of massacre field 	<ul style="list-style-type: none"> • East of highway at DUP monument • Overlook <p>On Cedar Ridge or Battle Creek Overlooks</p> <ul style="list-style-type: none"> • Shared with visitor center • Dedicated to Shoshone cultural heritage <p>Yes</p> <ul style="list-style-type: none"> • Visitor center/cultural center to overlook 	<ul style="list-style-type: none"> • DUP monument • West of highway • Overlooking massacre field from covered canal trail • Hot springs • Two overlooks <p>On Soldiers' Overlook, Cedar Ridge, or Battle Creek overlook</p> <ul style="list-style-type: none"> • Adjacent to visitor center • Dedicated to Shoshone cultural heritage <p>Yes</p> <ul style="list-style-type: none"> • Visitor center/cultural center to overlook • From highway wayside to places where individual events occurred, and connected by one major trail on top of covered canal • On one other overlook
State leadership in partnership with a heritage advisory commission	NPS leadership in partnership with tribal and local governments, and area citizens	NPS in partnership with tribes and landowner's association
<ul style="list-style-type: none"> • Private • Visitor center/cultural center site acquired in fee simple • Massacre field acquired through easements • State may acquire development rights in site boundary 	<ul style="list-style-type: none"> • Private • Visitor center/cultural center site acquired in fee simple • Massacre field acquired through combination of fee title and easements • National Park Service acquires development rights in site boundary 	<ul style="list-style-type: none"> • Private • Visitor center/cultural center site acquired in fee simple • Massacre field acquired in fee simple • All other uses through easements
Cultural landscape as seen from Soldiers' Overlook	Cultural landscape as seen from Cedar Ridge and Battle Creek overlooks	Cultural landscape as seen from all three overlooks

TABLE 5: SUMMARY OF ALTERNATIVES (CONT.)

ACTION ITEM	NO-ACTION ALTERNATIVE	ALTERNATIVE 1: HISTORIC SITE (MINIMAL ACTION)
COSTS	Development – None Operation – \$400/year Acquisition – None Inventories – None	Development – \$1.2–\$1.4 million Operation – \$175,000/year Acquisition – To be determined Inventories – \$100,000
Resource Inventories	• None	• Collection of oral histories
Acquisition/Scenic Protection	• None	• Limited easements (4 hectares or 10 acres) • No fee simple acquisition
Interpretive Facilities and Media	• Photocopied articles	• Wayside exhibits • Visitor center in Preston
Construction	• Paving of parking lot	• Upgrade existing parking • Improve Hot Springs Road
Operations	• All volunteers	• Area manager • Minimal interpretive staff • Minimal maintenance staff

ALTERNATIVE 2: STATE HISTORIC SITE	ALTERNATIVE 3: NATIONAL HISTORIC RESERVE	ALTERNATIVE 4: NATIONAL HISTORIC SITE
Development – \$6.9–\$8.9 million Operation – \$275,000/year Acquisition – To be determined Inventories – \$400,000	Development – \$8.9–\$11.6 million Operation – \$375,000/year Acquisition – To be determined Inventories – \$500,000	Development – \$11.8–\$14.4 million Operation – \$450,000/year Acquisition – To be determined Inventories – \$500,000
<ul style="list-style-type: none"> • Archeological inventory, overview, and assessment • Ethnographic resource studies • Collection of Shoshone oral histories • Cultural landscape study 	<ul style="list-style-type: none"> • Archeological inventory, overview, and assessment • Ethnographic resource studies • Collection of Shoshone oral histories • Cultural landscape study 	<ul style="list-style-type: none"> • Archeological inventory, overview, and assessment • Ethnographic resource studies • Collection of Shoshone oral histories • Cultural landscape study • Cultural landscape report
<ul style="list-style-type: none"> • Easements (80 hectares or 200 acres), development rights (850 hectares or 2100 acres) • Fee simple purchase of visitor center/cultural center site (8–14 hectares or 20–35 acres) 	<ul style="list-style-type: none"> • Easements (80–180 hectares or 200–379 acres), development rights (990–1,015 hectares or 2,450–2,500 acres) • Fee simple purchase of visitor center/cultural center site (8–14 hectares or 20–35 acres); possible fee simple purchase of up to 85 hectares (144 acres) of massacre field 	<ul style="list-style-type: none"> • Easements (total of 1,175–1,200 hectares or 2,900–2,975 acres) • Fee simple purchase of massacre field (58 hectares or 144 acres) • Fee simple purchase of visitor center/cultural center site (8–14 hectares or 20–35 acres)
<ul style="list-style-type: none"> • Wayside exhibits • Visitor center • Cultural demonstrations • Interpretive talks 	<ul style="list-style-type: none"> • Wayside exhibits • Visitor center • Cultural demonstrations • Interpretive talks 	<ul style="list-style-type: none"> • Wayside exhibits • Interpretive trail • Visitor center • Cultural demonstrations • Interpretive talks
<ul style="list-style-type: none"> • New visitor center/cultural center • Upgrade Hot Springs Road • Upgrade road to overlook • Construct 2–3 small parking lots at waysides • Shoshone memorial 	<ul style="list-style-type: none"> • New visitor center/cultural center • Upgrade road to overlook • Construct small pullout near massacre field • Shoshone memorial 	<ul style="list-style-type: none"> • New visitor center/cultural center • Covered canal trail • Upgrade road to overlook • Construct 2–3 small parking lots at waysides • Shoshone memorial
<ul style="list-style-type: none"> • Area manager • Interpretive staff • Maintenance staff • Administrative staff 	<ul style="list-style-type: none"> • Same as alternative 2, plus • Separate cultural center manager • Resource management staff 	Same as alternative 3

TABLE 6: SUMMARY OF ENVIRONMENTAL CONSEQUENCES OF ALTERNATIVES

IMPACT TOPIC	NO-ACTION ALTERNATIVE	ALTERNATIVE 1: HISTORIC SITE (MINIMAL ACTION)
CULTURAL RESOURCES	No protection offered to cultural resources from private undertakings on private land. No design guidelines or zoning to control new development. No protection of sanctity of massacre field. No recognition of Shoshone dead. No new impacts beyond these existing ones.	There may a potential for impacting massacre field and human remains from construction of wayside exhibits, road improvements, and pullout; these would be mitigated through sensitive design and procedures of an agreement with the state historic preservation officer and tribes. Design guidelines may be difficult to enforce. Little tribal involvement.
NATURAL RESOURCES	No new adverse impacts except for slight increases in dust and vehicle emissions. Landslides and slumping would continue to occur along Battle Creek and Bear River.	Same as no-action alternative except for minor vegetative disturbance, air pollution emissions, and noise caused by road and parking improvements.
VISITOR EXPERIENCE	Visitation would increase with normal population growth in region.	Additional opportunities to understand historical event. Increased visitation in Preston and at the massacre site.
SOCIOECONOMIC ENVIRONMENT	No additional economic benefit to community	One time benefit to local economy from construction activities; slight increases in sales taxes, revenues; one additional job.
TRANSPORTATION	Slight increases in traffic on Hot Springs Road. No road improvements.	Slight increases in traffic on Hot Springs Road, which may cause traffic congestion and noise.

ALTERNATIVE 2: STATE HISTORIC SITE	ALTERNATIVE 3: NATIONAL HISTORIC RESERVE	ALTERNATIVE 4: NATIONAL HISTORIC SITE
Potential for disturbance of massacre field and human remains as in alternative 2, with additional possible impacts from a Shoshone Memorial. Intrusions on cultural landscape mitigated by vegetative screening. Shoshone dead commemorated. Tribes share involvement in cultural center with pioneer organizations.	Potential for disturbance of massacre field and human remains from improvement of Hot Springs Road, if the Cedar Ridge location is chosen for a visitor center/cultural center site; intrusions on cultural landscape, and the commemoration of Shoshone dead same as in alternative 2. Tribes alone involved in cultural center.	Potential for disturbance of massacre field and human remains, intrusions on cultural landscape, and the commemoration of Shoshone dead same as in alternative 3. Landscape restoration may affect unevaluated historic properties from a later period, especially West Cache Irrigation Canal. Tribes alone involved in cultural center, but National Park Service pays for operation.
Minor loss of natural vegetation, air pollution emissions, and noise caused by construction of new facilities, road and parking improvements. Natural resources would benefit from voluntary design guidelines and economic incentives designed to control nonagricultural development.	Same as alternative 2 except that long-term beneficial impacts on natural resources would result from restoration of small portions of the massacre field acquired from willing sellers.	Impacts from development and improvement of roads would be similar to alternative 2. The greatest long-term beneficial impacts on natural resources would result from restoration of natural landscape at massacre site acquired from willing sellers.
Onsite interpretive opportunities at visitor center and waysides. Increased visitation at the site.	Visitation would be limited on massacre field. Onsite interpretive opportunities at visitor center and waysides. Increases in visitation.	Greatest onsite interpretive opportunities at visitor center and waysides. Largest increases in visitation.
One-time benefit to local economy from construction activities; slight increases in sales taxes, revenues; 5–10 additional jobs. Private land would be signed and fenced.	One-time benefit to local economy from construction activities; moderate increases in sales taxes, revenues; 5–10 additional jobs	One-time benefit to local economy from construction activities; moderate increases in sales taxes, revenues; 10–15 additional jobs
Slight increases in traffic on Hot Springs Road and road to visitor center; may cause traffic congestion and noise.	Increases in traffic on road to visitor center; may cause traffic congestion and noise.	Greatest increase in traffic on Hot Springs Road, road to visitor center and to two overlooks; may cause traffic congestion and noise.

consultation

coordination



SUMMARY OF PUBLIC INVOLVEMENT

As part of the scoping and continuing consultation with the public and federal, tribal, state and local governments, a series of meetings and correspondence were undertaken. Agencies and individuals are listed in the section entitled "Study Team and Preparers," which follows this list of consultation and coordination meetings.

July 13-15, 1993: Meetings in the Preston, Idaho area with a number of historians and other people interested in the study (most of whom later attended focus group meetings) to begin scoping issues. The state historic preservation officer was in attendance.

April 26, 1994: Consultation meetings with Vice Chairman Mae Parry, Northwestern Band of Shoshoni Indian Nation and Genevieve Edmo, Chairman of the Cultural Committee, Shoshone-Bannock Tribes at Fort Hall Reservation.

May 11, 1994: Consultation meeting with Tribal Chairman and staff at the Shoshone-Paiute Reservation at Duck Valley, Nevada, to inform them of the nature and scheduling of the study.

June 13, 1994: The National Park Service sent written requests to the U.S. Fish and Wildlife Service and the Idaho Department of Fish and Game for lists of federal and state endangered, threatened, listed, candidate, and/or proposed species that may be present in the Bear River Massacre Site National Historic Landmark.

June 24, 1994: The Idaho Department of Fish and Game replied to the NPS request for a list of state threatened, endangered, or candidate species.

July 1, 1994: The U.S. Fish and Wildlife Service replied to the NPS request for a list of federal endangered, threatened, listed, candidate, and/or proposed species.

July 12, 1994: Meeting with sixteen owners and residents of land in the national historic landmark boundaries, the Idaho state historic preservation officer, and Valerie Watkins, representing United States Senator Larry Craig, to continue scoping issues and to answer questions.

July 13-14, 1994: Meeting of the focus group to "brainstorm" purpose, significance, vision, and some solutions for eventual integration into alternatives. The state historic preservation officer was in attendance.

August 17, 1994: Consultation with the full tribal council of the Shoshone-Bannock Tribes at Fort Hall Reservation to continue scoping issues and to solicit ideas for incorporation into the study.

September 28, 1994: Presentation of the draft range of alternatives to the Idaho state historic preservation officer and staff, and the Idaho State Department of Parks and Recreation.

October 11, 1994: Meeting at Fort Washakie, Wyoming, with the tribal business council of the Wind River Shoshone Reservation to introduce them to the study.

February 27-28, 1995: Meetings with council and tribal members of the Northwestern Band of Shoshoni Nation to outline the general range of alternatives, and to solicit ideas for incorporation into the

study. The state historic preservation officer was invited but was unable to attend.

March 1, 1995: Meeting with members of the focus group to outline the general range of alternatives and to solicit modifications or improvements to the study. The state historic preservation officer was invited but was unable to attend.

April 25, 1995: A newsletter informing the public of the general range of alternatives and the planning process was sent to 115 people on the study's mailing list, the state historic preservation officer, 100 copies to the Bear River/Battle Creek Monument Association for general distribution to other interested parties, 300 copies to the Shoshone-Bannock Tribes at Fort Hall, 200 copies to the Northwestern Band of Shoshoni Nation, and 100 copies each to the Shoshone-Paiute Tribes at Duck Valley and the Shoshone Tribe at Wind River.

July 27, 1995: As per the agreement between the National Park Service, the National Council of State Historic Preservation Officers, and the Advisory Council on Historic Preservation, the preliminary draft of the special resources study and environmental assessment was sent to the state historic preservation officer asking for review comments during the period the National Park Service was reviewing the document.

August 30, 1995: The state historic preservation officer, in a letter signed by state archeologist Robert Yohe, responded to the request for review comments.

November 27, 1995: Began distribution of *Draft Special Resource Study and Environmental Assessment, Bear River*

Massacre Site, Idaho to the general public for a 90-day review period.

December 11, 1995: Began a series of public and tribal meetings to answer the public's questions about the draft study and to take public comment. The first meeting was in Brigham City, Utah. About 20 people attended the meeting.

December 12, 1995: Public meeting and open house in Preston, Idaho. About 20 people came to the afternoon open house, and approximately 40 people came to the evening public meeting. At least eight landowners signed in on a guest register.

December 13, 1995: The National Park Service held a public meeting at Fort Hall, Idaho. Approximately 30 people attended. The Park Service met separately with representatives of Sen. Larry Craig, Sen. Dirk Kempthorne, and Rep. Michael Crapo in Pocatello, Idaho, to brief them on the draft study and public comment received to date.

December 15, 1995: National Park Service met with the business council and cultural board of the Shoshone-Arapaho Tribes at Wind River Reservation. In the evening, the Park Service held a public meeting at Fort Washakie, Wyoming. Approximately 16 people attended the meeting.

February 25, 1996: The 90-day public comment period ended.

April 11, 1996: National Park Service met with representatives of Sen. Larry Craig and Sen. Dirk Kempthorne, and with Rep. Michael Crapo in Pocatello, Idaho, to brief them on the public comment and to ask for their reaction to proposed changes to the draft document.

April 12, 1996: The National Park Service met with Franklin County Commissioners, two landowners, and the president of the Bear River/Battle Creek Monument Association to brief them on the public comment and to ask for their reaction to proposed changes to the draft document.

May 24, 1996: A newsletter summarizing the public comment was mailed to all individuals on the mailing list.

STUDY TEAM AND PREPARERS

NATIONAL PARK SERVICE PLANNING TEAM

Catherine H. Spude, PhD, Team
Captain/Archeologist, Denver Service
Center
Linda Greene, Former Team
Captain/Historian, Denver Service Center
Steve Culver, Outdoor Recreation
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Elaine Johnson, Caribou Historical Society
Karl Kler, Bear River Resource
Conservation and Development
Kathy Griffin, Landowner
Allie Hansen, President, Bear River-Battle
Creek Monument Association
John Hill, State Historic Preservation Officer
Kent Hortin, Bear River Resource
Conservation and Development
Leland Pubigee, Vice Chairman,
Northwestern Band of Shoshoni Nation

Brigham Madsen, Historian, University of
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Mae Parry, Northwestern Band of Shoshoni
Nation
Devon Warrick, Vice President, Bear River-
Battle Creek Monument Association
Valerie Watkins, Congressional Aide to
Senator Larry Craig
Merle Wells, Historian

CONSULTANTS

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Keith Dunbar, Chief of Planning,
Columbia/Cascades Systems Support
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Al Galipeau, Market Analyst, Washington
Office, National Park Service
Jim Morris, Superintendent, Craters of the
Moon National Park, National Park
Service
Dave Pugh, Former Superintendent, City of
Rocks National Reserve, National Park
Service
Mike Spratt, Technical Expert, Special
Resource Studies, Denver Service Center,
National Park Service
Stephanie Toothman, Chief, Cultural
Resources Division, Columbia/Cascades
Systems Support Office, National Park
Service
Frank Walker, Superintendent, Nez Perce
National Historical Park, National Park
Service
Idaho State Historic Preservation Officer
Tribal Council of the Shoshone-Bannock
Tribes at Fort Hall Reservation
Tribal Council of the Northwestern Band of
Shoshoni Nation

**APPENDIX A: THE BEAR RIVER MASSACRE SITE
NATIONAL HISTORIC LANDMARK NOMINATION FORM**

United States Department of the Interior
National Park ServiceNational Register of Historic Places
Registration Form

NATIONAL HISTORIC LANDMARK

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in *Guidelines for Completing National Register Forms* (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries.

Name of Property

Original name Bear River MassacreOther names/site number Massacre at Boa Ogoi, Battle of Bear River

Location

Street & number U.S. Highway 91☐ not for publicationTown PrestonVicinity Barida QuadState Idaho code ID county Franklin code 041 zip code 83237

Classification

Ownership of Property

☐ private☐ public-local☐ public-State☐ public-Federal

Category of Property

☐ building(s)☐ district☒ site☐ structure☐ object

Number of Resources within Property

Contributing

Noncontributing

112 buildings (5 farmsteads)17 sites17 structures (3 roads2

objects 2 power lines

Total 19 1 canal & 1 gravel pit)
Number of contributing resources previously listed in the National Register 1

Name of related multiple property listing:

State/Federal Agency Certification

I, as the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this ☐ nomination ☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. ☐ See continuation sheet.

Signature of certifying official

Date

State or Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. ☐ See continuation sheet.

Signature of commenting or other official

Date

State or Federal agency and bureau

National Park Service Certification

I hereby certify that this property is:

☐ entered in the National Register.☐ See continuation sheet.☐ determined eligible for the National Register. ☐ See continuation sheet.☐ determined not eligible for the National Register.☐ removed from the National Register.

Other, (explain):

Signature of the Keeper

Date of Action

6. Function or Use

Historic Functions (enter categories from instructions)

Site of Indian Village

Battle site

Current Functions (enter categories from instructions)

irrigated farms, agricultural
fields

animal facilities

7. Description

Architectural Classification
(enter categories from instructions)

N/A

Materials (enter categories from instructions)

foundation

walls

roof

other

Describe present and historic physical appearance.

SUMMARY

The site's major topographic features in January 1863, as today, are Bear River, Battle Creek (in 1863 known as Beaver Creek), Wayland Hot Springs, the Bear River bottoms (meadows), the bluffs bounding the Bear River bottoms and Battle Creek, and Cedar Point. All these features were important to the Northwestern Shoshonis' choice of this site for the winter encampment of Bear Hunter and his people, the attack by the Army, and the ensuing massacre.

DESCRIPTION

o Bear River--The river, with its crystal-clear waters, meanders through the area, flowing from northeast to southwest, until it reaches Wayland Hot Springs, where the course changes abruptly to the south. The river is about 175 feet across and, in the meanders, small islands divide the river into two channels. The river, except during the spring run-off and following cloudbursts, averages three to four feet deep, but there are deep holes where the water is overhead in depth.

o Battle (Beaver) Creek--A confluent of Bear River, this stream heads a number of miles northeast of the proposed National Historic Landmark. Battle Creek debouches into the Bear River bottoms through a hollow trending from northwest to southeast. After coming out into the bottom, the stream, as it bears off to the south to discharge into Bear River downstream from today's U.S. 91 Highway bridge, flows through a ravine bounded on the east by a cutbank. In 1863 the ravine was screened by a dense growth of willows.

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o Wayland Hot Springs--The hot springs, on the west bank of Bear River, made this area a popular winter campground for the Northwestern Shoshonis.

o Bear River Bottoms (Meadows)--The bottoms through which the river meanders vary from three-quarters to a mile across. Near the river bank there were willows and deciduous trees that had shed their leaves for the winter. Between those trees and the Battle Creek ravine in 1863 was a meadow.

o Bluffs and Benches--The area of interest south and east of Bear River finds a steep line of bluffs rising from a mean height of 4500 feet above sea level to 4720 feet, inside of 600 to 800 feet of linear distance. The bluffs and the bench beyond toward the southeast were, in 1863, grown up in prairie grasses and sagebrush.

On the north side of Bear River, the escarpment--except downstream from today's highway bridge--is farther back from the river, and, discounting the area where Battle Creek debouches into the bottoms, is not as steep as the bluffs on the river's south side. Once up onto the escarpment, the prairie grass and sagebrush-covered north bench rolls away toward Little Mountain.

Battle (Beaver) Creek debouches through a steep-sided hollow, as does Deep Creek, which bounds the study area on the west.

o Cedar Point--This is the steep bluff overlooking from the west the area where Battle (Beaver) Creek emerges out onto the Bear River bottoms. Here the escarpment, in a linear distance of 550 feet, rises 200 feet.

Cultural features contemporary with the massacre include the Soldiers' Ford, the Village Site, and the Montana Trail. These are located as follows:

o Soldiers' Ford--There are two possible sites for the ford used by the Californians to cross Bear River to attack the village. The first of these is at the sharp bend in the river 3000 feet upstream from the U.S. Highway 91 bridge. The second is 3000 feet farther upstream at a site due east of the Pioneer Women's Historical Marker.

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o Northwestern Shoshoni Village Site--The 70 lodges occupied by Bear Hunter's and Sagwich's people were sited on either side of Battle (Beaver) Creek, extending south, from where the stream debouched into the Bear River bottom, for 300-400 yards. Bear Hunter's lodge was on the west side of the creek, 400 to 500 feet northwest of the Pioneer Women's Historical Monument.

The bodies of the several hundred Shoshonis killed on January 29, 1863, were left by the soldiers where they fell, a prey to wolves and magpies. Capt. James L. Fisk, in the autumn of 1863, visited the scene and wrote, "Many of the skeltons of the Indians yet remained on the ground, their bones scattered by wolves."

o Montana Trail--The road from Salt Lake City to the Montana mining camps passed through the area from east to west, skirting the escarpment at the foot of Cedar Point.

There are also cultural features subsequent to those associated with the massacre. In addition to roads giving access to the homes of farmers and ranchers, these roads have passed or pass through the study area. They are:

o U.S. Highway 91--This improved hard surface road crosses Bear River downstream from the Soldiers' Ford and passes east of the village site as it continues north and west 57 miles to Pocatello. This is a noncontributing resource, as is the highway bridge.

o Gravel County Road--This road parallels the West Cache Canal and is a noncontributing resource.

o The former alignment of the Utah and Northern Railroad can be traced through the study area. It crossed Bear River several hundred feet above the Highway 91 bridge and paralleled, to the east, today's U.S. 91 to the site of the Pioneer Women's Historical Marker, near which it crossed U.S. 91 and continued north and west up Battle Creek hollow. While this trace has significance, it does not contribute to the site's national significance.

o West Cache Canal--This ditch, paralleling the escarpment's western fringe on the Bear River bottoms, provides water for irrigation purposes and is a noncontributing resource.

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o Pioneer Women's Historical Marker--This rock and concrete monument, with plaques dedicated on September 5, 1932, was erected by the Franklin County Daughters of the Utah Pioneers, Cache Valley Council, Boy Scouts of America, and the Utah Pioneer Trails and Landmarks Association. It is located east of U.S. 91 near Battle Creek and identifies the site. In 1956 the "Battle Creek" marker was rededicated and a second plaque added to the opposite side by the Daughters of the Utah Pioneers. This monument is a contributing resource.

Within the study area, there are a number of other noncontributing resources. These are homes and improvements, including irrigation ditches, fences, fields, etc., made by the local residents to support their farming and ranching activities. They have have, however, limited impact on the historic scene.

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:

☒ nationally ☐ statewide ☐ locally

Applicable National Register Criteria ☒ A ☐ B ☐ C ☐ D NHL Criterion 1

Criteria Considerations (Exceptions) ☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G

Areas of Significance (enter categories from instructions)

National Register Significance:

19th Century

ETHNIC HERITAGE: Native American

Military

NHL Significance:

X. Western Expansion of the British Colonies and the United States, 1763-1898

C. Military-Aboriginal American Contact and Conflict

5. The Western Mountains

Significant Person

Period of Significance

July 1862-Autumn 1863

1932

Significant Dates

January 29, 1863

1932

Cultural Affiliation

Architect/Builder

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

SUMMARY

The Bear River Massacre Site, the location of a desperate and bloody tragedy that resulted from 25 years of hostilities between the Northwestern Shoshonis--driven to desperation by loss of their traditional sources of food and lifeways--and the California Volunteers, is deemed to be nationally significant because it possesses "exceptional values in illustrating or interpreting the heritage of the United States in history...." The site also possesses "a high degree of integrity of location, setting, feeling and association."

In this respect, the Bear River Massacre Site, as the scene of the bloodiest massacre, or "promiscuous wholesale slaughter," of Native Americans to take place in the West in the years between 1848 and 1891, meets one of the criteria for designation as a National Historic Landmark:

(1) It is associated with events that have made a significant contribution to, and are identified with ... the broad patterns of United States history and from which an understanding and appreciation of these patterns may be gained.

HISTORIC SIGNIFICANCE

Western Historian Don Russell in a July 1973 article in The American West titled, "How Many Indians Were Killed? White Man Versus Red Man; The Fact and the Legend," focuses on confrontations between the U.S. Military and vigilante forces and Native Americans in the vast trans-Mississippi region. On doing so, Russell accepted the definition of a "massacre" as being "a promiscuous wholesale slaughter, especially of those who can make

☒ See continuation sheet

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little resistance." Within this context, Russell next identified and reviewed five massacres of Native Americans that "have received the most attention from historians and which produced the most casualties." [1]

First in time and synonymous with horror was Colorado's infamous Sand Creek Massacre of November 19, 1864, when the "fighting preacher" Col. John M. Chivington and his Colorado Volunteers killed 130 Cheyennes, "two-thirds of them women and children." Chivington subsequently wrote that, several days before the attack on the Indians, he met in Denver with Brig. Gen. Patrick E. Connor, who told him:

I think from the temper of the men that you have and all I can learn that you will give these Indians a most terrible threshing if you catch them, and if it was in the mountains, and you had them in a canon, and your troops at one end of it and the Bear river at the other, as I had the Pi-Utes [Shoshoni], you could catch them, but I am afraid on these plains you won't do it. [2]

The second massacre of Native Americans identified by Russell was the "battle" of the Washita, November 27, 1868, when Lt. Col. George A. Custer and his troopers of the 7th U.S. Cavalry attacked Black Kettle's village, on the Washita River in present Oklahoma, killing some 103 Cheyenne warriors and a number of women and children. The next such major episode occurred on January 23, 1870, on the Marias River in Montana Territory, where Maj. Eugene M. Baker and his 2nd U.S. Cavalry killed 173 Piegans, 120 men and 53 women and children. Then, the next year, at Camp Grant, Arizona Territory, on April 20, 1871, 170 vigilantes assailed and killed some 150 Aravaipa Apaches. The last and most notorious massacre cited by Russell took place at Wounded Knee, South Dakota, on December 29, 1890. Here 84 Sioux men, 44 women, and 18 children--a total of 146--were killed by troops of the 7th U.S. Cavalry and their four howitzers. Russell's "reasonable total" of Indian dead in the five massacres was 615. [3]

As Western Historian Brigham Madsen has noted in his heralded publication, The Shoshoni Frontier and the Bear River Massacre, "The Affair at Bear River" on January 29, 1863, was not listed by Western Historian Russell, "although it resulted in more casualties than any of the five" he described. "The reasonable figure of at least 280 Shoshoni deaths at Bear River makes the massacre one of the most significant Indian disasters in Western American History."

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Brigham Madsen has concluded that the Bear River Massacre has been largely forgotten or glossed over by historians and the general public, because:

(a) The Mormons have not been "overanxious in highlighting and approving slaughter of Indian men, women, and children."

(b) Bear River, occurring six years after the Mountain Meadow Massacre, the less "said about Mormon exultance over another wholesale killing of innocents the better...."

(c) There has been a change in historical perspectives. Western Historian Hubert H. Bancroft, writing in 1890, 27 years after Bear River, observed, "Had the ... [Indians] committed this deed it would pass into history as butchery or a massacre."

(d) Although the engagement at Bear River was big news in Utah and California, the story did not attract much attention in the rest of the nation. The big Eastern and Midwestern newspapers and illustrated magazines, as well as their readers, were engrossed with Civil War headlines and feature stories. For example, E.B. Long, in his much cited encyclopedic The Civil War Day by Day, An Almanac, 1861-1865, limits his entry referencing the massacre to these words, "Federal troops defeated the Bannock [sic] tribe of Indians in an engagement at Bear River or Bear Creek in Utah Terr." [4]

NARRATIVEA. Colonel Connor and His California Brigade Reestablish a Military Presence Among the Saints1. The March East

The Civil War confronted the War Department and the Department of the Interior's Bureau of Indian Affairs with many vexing problems. Among the most urgent of these was providing for the security of the Overland Mail and Telegraph Route and the California and Oregon Trails across Nevada and Utah and, after 1862, Idaho Territories. In the weeks after the April 12, 1861, bombardment and capture of Fort Sumter and the battles of First Manassas and Wilson's Creek, troops of the Regular Army which had patrolled these travel routes and communication lines were called east to help preserve the Union against Confederate armies. To reoccupy Nevada and Utah posts would be the task of a force commanded by Col. Patrick Edward Connor. Born in County Kerry, Ireland, the 41-year-old Connor had emigrated to the

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United States with his parents as a child. A veteran of the Second Seminole and Mexican Wars, the hot-tempered Connor was a Stockton businessman, when, in September 1861, he was named colonel of the 3d California Volunteer Infantry. [5]

Colonel Connor received his marching orders from Brig. Gen. George Wright, who, from his San Francisco headquarters, commanded the vast Department of the Pacific that included much of the United States west of the Continental Divide. Connor's 3d California Infantry and a battalion of the 2d California Cavalry, more than 1,000 strong, marched eastward from Stockton by detachments during the summer and autumn of 1862. After crossing the High Sierras, Connor detached a company of infantry and one of cavalry to man Fort Churchill in the Carson Valley. This post had been established in 1860 at the time of the Paiute outbreak. In eastern Nevada, he halted to build Fort Ruby and dropped off two companies of infantry. Arriving in Great Salt Lake Valley, the Californians first reoccupied Fort Crittenden (formerly Camp Floyd), some 40 miles south of Salt Lake City, then in late October relocated to a bench fronting the Wasatch Mountains and commanding Salt Lake City. There they established Camp Douglas. [6]

2. The Soldiers Move Out

Colonel Conner, upon his arrival in Utah Territory, found many of the Shoshonis, Bannocks, and Utes determined to protect their lands against interlopers; the mail and telegraph routes under attack east and west of Salt Lake City; and the Oregon Trail from South Pass to the Snake all but closed. Colonel Connor first focused his attention on the Northwestern Shoshonis. A company was rushed to garrison Fort Bridger. Maj. Edward McGarry of the 2d California Cavalry rode north with a battalion to secure the release of a 10-year-old white boy held by Bear Hunter, a militant Northwestern Shoshoni chief. In Cache Valley the troops encountered Bear Hunter's people, shots were exchanged, hostages taken, and the boy turned over to the soldiers by the Indians. [7]

3. Bloodshed Inflames Passions

During the autumn of 1862 there had been a significant increase in traffic through the Northwestern Shoshoni country, as miners traveled back and forth between the Grasshopper Creek and Beaverhead diggings in Idaho Territory and Salt Lake City and the other Mormon settlements. The Montana Trail, north of Franklin, crosses Bear River, near a favored winter camp site used by Bear Hunter and his people. [8]

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On January 14, 1863, an express rider returned to Salt Lake City with word that two expressmen had been killed by Shoshonis on the Cache Valley road. He reported that the Shoshonis had sworn "to avenge the blood of their comrades" slain by soldiers led by Major McGarry at Bear River Ferry in early December 1862, and that the "spiteful" Indians planned to "kill any white man they should meet with on the north side of Bear River, till they should be fully avenged." Commenting on the murders, the editor of the Deseret News advocated that steps be taken to "dispose them to peace." [9]

On January 5, 1863, ten miners traveling south on the Montana Trail were rumored to have been murdered by Indians. Some 24 hours later, eight men en route to Salt Lake City lost their way and struck the Bear River opposite the village of Richmond. While three of the party crossed the river to seek assistance from the villagers, a number of Indians arrived at the camp, drove off their stock, robbed the wagons, and behaved "very discourteously to the five men." Following the return of the trio, the travelers prevailed on the Indians to return some of their livestock and crossed three wagons to the river's east side. The Indians then opened fire from the west bank and killed John H. Smith. Upon reaching Salt Lake City, one of the survivors signed an affidavit before the Territorial Chief Justice describing Smith's murder. Whereupon, the Chief Justice issued a warrant for the arrest of Bear Hunter, Sanpitch, and Sagwich of the Northwestern Shoshonis and ordered the Territorial marshal to seek the assistance of Colonel Connor to "effect the arrest of the guilty Indians." [10]

B. Colonel Connor Takes the Field1. Connor Gets a Court Order

Colonel Connor welcomed the court order, because, upon receipt of word of the attacks, he had made plans for a punitive expedition northward to hammer the Cache Valley Shoshonis. He accordingly told the marshal that "my arrangements for our expedition are made, and that it was not my intention to take any prisoners" The colonel, in his official report, noted:

Being satisfied that they [the Indians] were part of the same band who had been murdering emigrants on the overland mail route for the past fifteen years and [were] the principal actors and leaders in the horrid massacre of the past summer, I determined, although the weather was unfavorable to an expedition, to chastise them if possible.

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Connor, in planning the expedition, had for his guidance an order issued by Headquarters, Department of the Pacific, dated April 7, 1862, reading: "Every Indian captured in this district during the present war who has been engaged in hostilities against whites, present or absent, will be hanged on the spot, women and children in all cases being spared." [11]

Colonel Connor, apprised that Chief Sanpitch of the Northwestern Shoshoni had traveled down from Bear River to meet with Mormon Leader Brigham Young, became concerned that the Indians might learn of the proposed expedition, relocate their winter encampment, and deprive his California Volunteers of their opportunity for some "Indian killing." An early advocate of carrying the war to the Indians after they had settled into their winter villages, so that the warriors, if attacked, would be encumbered by their women and children, Connor, on January 19, alerted his soldiers to be ready to take the field on a moment's notice. A Mormon leader, learning of this, cautioned that the expeditions then outfitting would catch some friendly Indians, murder them, and let the "guilty scamps remain undisturbed in their mountain haunts." [12]

2. The March North

On the morning of January 21, Capt. Samuel W. Hoyt of Company K, 3d California Infantry, took the field. His command consisted of 69 foot soldiers, two 6-pounder mountain howitzers, and 15 wagons loaded with baggage and 20 days rations for his troops and grain for the animals. It was snowing as the little column tramped out of Camp Douglas and took the road leading northward. To keep the Indians from learning of the army's plans, stories were circulated that Hoyt's people were en route to protect wagons hauling grain down to Salt Lake City from Cache Valley.

Captain Hoyt and his troops made no effort to conceal their movements. They marched by day and camped early. If seen by the Indians, their sighting reinforced the stories that had been planted that this was another detachment sent north to provide security to a slow-moving wagon train. Nightfall on the 26th found Hoyt's company camped at Mendon, where the troops "laid over" a day. [13]

Meanwhile, Colonel Connor had taken the field with his main column--220 hard-riding officers and men of Companies A, H, K, and M, 2d California Cavalry. It was long after dark on

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January 24 when the horse soldiers rode out. Unlike the infantry, the cavalry was to conceal its movements from friend and foe until within one day's march of the Bear River village, tactics that the editor of the San Francisco Bulletin believed would prevent the Indians from "skedadling to the mountains." The cavalymen were armed with revolvers and carbines, were supplied with ammunition, and each man carried three days' cooked rations in his haversack.

Connor and his flying column, traveling only at night, reached Mendon on the 27th, where they rendezvoused with Captain Hoyt's command. The weather had turned bitterly cold, and snow blanketed the ground in some places--such as the divide between Brigham City and Cache Valley--to a depth of four feet. [14]

The soldiers spent the day drawing rations and squaring their gear away. They had been joined by Orrin P. Rockwell, an experienced Mormon scout. Rockwell had heard of Shoshoni boasts that they would "thrash the soldiers and cautioned Colonel Connor that these Native Americans, numbering some 600 fighting men, had "thrown up intrenchments to protect their village." A miner, recently back from the diggings, had spoken with several Northwestern Shoshonis, and they had told him they had no grudge against the Mormons, but they intended to revenge themselves on white travelers for "injustices" inflicted on them by Major McGarry and his cavalry.

Captain Hoyt and his infantrymen, escorting the howitzers and wagons, departed from Mendon at midnight on the 27th. Colonel Connor and the four companies of horse soldiers broke camp many hours later. Hoyt's people, marching 34 miles in 17 hours, entered Franklin, 12 miles from the Bear River village, at dusk on the 28th. [15]

3. The Soldiers Reach Franklin and Connor Prepares a Surprise Attack

Not long before the soldiers came into sight, one of the villagers, in obedience to Bishop Preston Thomas' instruction, had sacked up nine bushels of wheat to turn over to three Shoshonis sent by Chief Bear Hunter. The wheat was an increment on the tribute the Mormon farmers were in habit of paying to the Native Americans to keep the peace. Two of the three horses had been loaded, when the farmer looked to the south and saw soldiers approaching. He warned the Indians, saying, "Here come the

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Toquashes [the Shoshonis' name for the soldiers] maybe, you will all be killed." The Indians answered, "Maybe Toquashes be killed too." Whereupon, the trio, not waiting for the third horse to be loaded, mounted their ponies and, leading the horses, rode out of Franklin, heading northwest toward Bear River. Earlier in the day, Bear Hunter had visited the settlement. Thus the Shoshonis were aware of the presence of Captain Hoyt and foot soldiers, but did not know of the rapid approach of Colonel Connor and his four companies of cavalry, who did not reach Franklin until midnight. [16]

C. The Attack1. The Approach March

Colonel Connor, to coordinate the marches of his infantry and cavalry and insure that they reached the bluffs overlooking the Bear River encampment at the same time, alerted Captain Hoyt and his infantry, howitzers, and wagons to move out at 1 a.m., on January 29. Hoyt was delayed, while searching for local guides to conduct his column to the ford giving access to Bear Hunter's village. It was 3 a.m. before two scouts were identified and Hoyt's people took up the march. Connor and his four-company cavalry battalion hit the trail at 4 a.m. The horse soldiers, after an eight-mile ride, overtook and passed Hoyt's column, while they slogged through snowdrifts four miles from the river. The teams pulling the howitzers and wagons had lagged far behind the infantry. [17]

2. The Historic Scene

Major McGarry and the vanguard gained the bluffs overlooking Bear River at daybreak. Looking northwest over the river and the bottom beyond, the horsemen saw smoke rising from fires in the Indian village kindled by early risers. Bear River, then as now, flowing from northeast to southwest, meanders across a level flood plain that is about three-quarters of mile across. The river, at the point where the soldiers came out on the bluffs, hugs the eastern escarpment. After coursing westward for about one mile, the river, near Wayland Hot Springs, impinges against a bluff and changes direction, flowing off to the south. The bluffs bounding the bottom to the northwest and southeast rise from 4,500 feet above sea level to 4,700 feet.

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The bluff from where the soldiers surveyed the village was so steep that, except where the Montana road came down off the bench, it would be a hard ride for the cavalry to get down off of it. Bear River, at this season of the year at the site of the ford, is about 175 feet in width and three to four feet deep. Beaver Creek (fated to be hereinafter known as Battle Creek) merges its waters with Bear River upstream from Wayland Hot Springs.

Beaver Creek--flowing through a steep-sided hollow--debouches into the Bear River bottom opposite the bluff from where Major McGarry studied Bear Hunter's village. After entering the bottom, Beaver Creek changes course from southeast to southwest, the waterway paralleling Bear River to its confluence with the larger stream, downriver from today's U.S. Highway 91 bridge. Beaver Creek, for much of the forthcoming fight, provided the Shoshonis with a strong defensive position against an attacking force crossing at the ford. Cedar Point, a steep headland, juts out into the valley and is fronted on the northeast and southwest by Beaver Creek. A flat flood plain about one-third mile across separates Bear River and Beaver Creek. [18]

A correspondent for the San Francisco Bulletin had accompanied Colonel Connor. He informed readers that the Beaver Creek ravine varied in depth from 6 to 12 feet and was 30 to 40 feet wide, with its eastern bank nearly vertical. The Shoshonis had cut three openings through this bank to enable them to ride their ponies in and out of the village. There were erroneous reports by people who should have known better that the Native Americans had constructed field fortifications--rifle-pits and trenches--into this embankment to strengthen their position. Upon closer study it was found that these "works" were steps dug into the cutbank to afford ease of access to and from the ravine.

Colonel Connor observed, in his "After Action Report," that "under the embankments they [the Indians] had constructed artificial covers of willows thickly woven together, from behind which they could fire without being observed." Willows, some as much as 20 feet in height, choked the Beaver Creek bed and extended up and over the west bank and beyond to the steep bluffs southwest of Cedar Point. [19]

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Hunter's Village and People

The Shoshoni village, beginning south of Cedar Point, bounded Beaver Creek and extended southward for several hundred yards. The village pony herd was pastured on the meadow west of the creek and east of the bluffs. The village numbered 75 lodges, housing about 450 Shoshoni men, women, and children. The site--with the hot springs, bluffs, lush meadows, and windbreaks--had for years been a popular winter campground.

The Shoshonis, alerted to the approach of the soldiers by Chief Sagwich, milled about outside their lodges. They anticipated that the Army officers would follow their usual policy by demanding that the Indian leaders surrender those guilty of recent murders, or, at worst, demand hostages until a parley could resolve outstanding differences. The Shoshoni leaders underestimated their enemy and Colonel Connor's determination to employ maximum force to make the roads and trails of Utah Territory secure to travelers. Bear Hunter's and Sagwich's people, in the face of this threat, would have welcomed the support of Chief Pocatello, but Pocatello and his people had left the village on the 28th. [20]

4. Major McGarry's Battalion Meets the
Northwestern Shoshonis

Colonel Connor, concerned that the Indians might escape if he waited for Hoyt's people and the howitzers, told Major McGarry to ford Bear River, and "surround before attacking them, while I remained a few minutes in the rear to give orders to the infantry and artillery." Spearheaded by Companies K and M, the horse soldiers spurred their steeds down the steep escarpment and into the ford. The water was so deep that most of the men, although they flexed their knees, got their feet wet. Pvt. John R. Lee of Company K recalled, "That was a bad looking river, half frozen over and swift. The horses did not want to go in. Two old boys got throwed by their horses." West of the river, the California Volunteers entered a meadow some 400 to 500 yards across, bounded by the river at their rear and Beaver Creek and Cedar Point to their front. Out from the ravine to meet the on-coming soldiers sallied 50 warriors, some on horseback and the rest afoot. And, as Connor, who had not yet crossed the river, was told by Major McGarry, "with fiendish malignity waved the scalps of white women and challenged the troops to battle." [21]

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The Bulletin's war correspondent informed his readers:

Here redskins were evidently full of good humor and eager for the fray. One of the chiefs was galloping up and down the bench in front of his warriors, haranguing them and dangling his spear on which was hung a female scalp in the face of the troops, while many of the warriors sang out: "Fours right, fours left. Come on, you California sons of b----s" [22]

5. Bear Hunter and His Warriors More Than
Hold Their Own

Major McGarry's response was predictable. Seeing that the village was too extensive to surround with his force, many of whom were straggling across the ford, McGarry ordered his cavalymen to advance. Numbers were called and the men dismounted. Every fourth man was designated as a horse-holder, and the volunteers deployed as skirmishers, with Company K on the left and Company M on the right. The Shoshonis fired first and, after wounding a soldier, withdrew, taking shelter with the rest of their fighting men behind the natural parapet (firing step) formed by the east bank of Beaver Creek. The soldiers scrambled for cover and returned the Indians' fire. Companies A and H, having forded the river and dismounted, reinforced their comrades. The Shoshonis made good use of the terrain and ground cover to inflict a number of casualties on the Californians. A mounted officer, Lt. Darwin Chase, of Company K, was wounded. During the first 20 minutes of the savage fire fight, the Shoshonis more than held their own--killing at least 7 and wounding 20.

6. Colonel Connor Calls Up His Reserves and
Redeploys His Command

Colonel Connor now crossed Bear River, found that his men were falling thick and fast, saw that the Native Americans had the advantage of position, and called to Major McGarry to pull back. The soldiers retired by squads and reestablished their firing line some distance from the Beaver Creek ravine. Connor told McGarry to take a score of men, move to the right, and outflank the Shoshonis. McGarry, followed by 20 dismounted cavalry and covered by the fire of the men on the skirmish line, gained the bluff on the east side of Beaver Creek upstream from the village. Coincidentally, Captain Hoyt and the men of Company K, 3d California Infantry, had reached the Bear River ford. Harking to

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the sounds and shouts of battle, Hoyt and some of his soldiers rushed into the icy river, found an impassible barrier, and floundered back up onto the bank. The day was bitter cold and the foot soldiers suffered as their wet uniforms froze to their persons.

Colonel Connor was omnipresent. Recognizing the infantry's predicament, he ordered some of the horse-holders to take their steeds and transport Hoyt and his people across Bear River. Hoyt's infantry, after dismounting, hastened to the right and reinforced McGarry on the bluffs. While McGarry deployed Company K, his dismounted cavalry, from their commanding ground, opened a deadly enfilade fire on the left flank of the Indians posted in the Beaver Creek ravine and into the nearby lodges.

Colonel Connor now took action to perfect his strategy by undertaking a double envelopment of the village. If successful, there would be no escape for Bear Hunter and his people. Lt. Cyrus D. Clark, followed by Company K, 2d California Cavalry, moved off the firing line and headed downstream. He posted his men astride Beaver Creek near where it flowed into Bear River, with the mission of preventing an Indian breakout in the direction of Wayland Hot Springs. Lt. John Quinn, with those men of Company A who had not dismounted, crossed Beaver Creek upstream from Clark's people and deployed his troops into line preparatory to attacking north and east against the village's right and rear.

7. The Tide of Battle Turns

Major McGarry's reinforced company, their deadly enfilading fire having given them the "bulge," advanced down the Beaver Creek hollow. The bluffs commanding the hollow gave the Californians favorable ground from which to cover their comrades as they fought their way into the northern end of the village. Galvanized into action by McGarry's thrust, Lieutenant Quinn's dismounted troopers closed on the village from the opposite direction--the southwest. Along the skirmish line east of the Beaver Creek ravine stronghold, Capt. George F. Price's men took advantage of the situation to again fight their way out into the meadow, from where they had been driven earlier by the Shoshonis' well-aimed small-arms fire. The fight, as the soldiers entered the village, became hand-to-hand, in which the well-armed cavalry employed their revolvers with deadly effect. [23]

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Some of the officers were armed with six-shot revolvers. A participant recalled that "Captain McLean had a pistol shot out of his right hand ... and while drawing another with the left received a bullet in the groin...." [24] Although the Native Americans defended their lodges and families with "dogged obstency," the tide of battle turned decisively against them. The Californians "settled themselves down to the work before them, as a dray horse would set himself to pull his load up hill." Along the firing line east of the village, Captain Price saw eight of his men cut down, either killed or mortally wounded, but the Indians to their front suffered frightful losses. After the battle, Price's troopers counted 48 Indian dead heaped about.

8. The Fight Becomes a Massacre

Colonel Connor was with Price's soldiers when a number of warriors cut their way out of the ravine that had once afforded security, but had now become a slaughter pen. "A wild yell from the troops" alerted Connor to the situation, and he called for Lt. George D. Conrad of Company H to take a detachment, secure their mounts from the horse-holders, and cut off the Indians as they sought to escape across Bear River. Lieutenant Quinn and his mounted people joined in the pursuit. With the Californians hard on their heels, the Shoshonis sought cover along the willow-lined river bank. Here there was more "war to the knife and the knife to the hilt." Quinn's horse was shot from under him, Maj. Patrick A. Gallagher and Capt. David Berry were seriously wounded, and "one of the men close by Colonel Connor was shot from his horse." A number of Indians attempted to swim across the river. Many of them were shot by soldiers posted on the west bank. Others were swept downstream to find refuge in the thickets or drowned in the icy current. A few escaped by scrambling up the bluffs west of Beaver Creek. [25]

The fight lasted about four hours, and, by 10 a.m., the blood-letting ceased. Surgeon R.K. Reed had located his aid station near the horse-holders' line, but much of the combat raged at such short ranges that wounded soldiers were left where they dropped. The day was bitter cold and a number of the Californians had frozen toes and fought with "fingers so frozen that they could not tell they had a cartridge in their hands unless they looked . . ." The San Francisco Bulletin's war correspondent, an eyewitness, informed his readers, "The carnage presented in the ravine was horrible. Warrior piled on warrior horses mangled and wounded in every conceivable form, with here and there a squaw and papoose, who had been accidentally killed...." [26]

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The battle ended. The Army officers assembled their companies and rolls were called. Colonel Connor found that, of the 200 soldiers engaged, he tallied 14 dead enlisted men, and 4 officers and 49 soldiers wounded--of whom 1 officer and 6 men subsequently died of their injuries.

2. A Grim and Terrible Body Count

Body counts have always been important, and Connor promptly called for one. He reported:

We found 224 bodies on the field. ... How many more were killed than stated I am unable to say, as the condition of the wounded [Californians] rendered their immediate removal a necessity. I was unable to [personally] examine the field. I captured 175 horses, some arms, destroyed over seventy lodges, a large quantity of wheat and other provisions, which had been furnished [the Shoshonis] by the Mormons; left a small quantity of wheat for the sustenance of 160 captive squaws and children, whom I left on the field. [27]

Lt. Col. George S. Evans of the 2d California Cavalry, who had remained at Camp Douglas and was not on the scene, relying on reports of his officers who were there, wrote, "we succeeded in almost annihilating the band; having killed some two hundred and seventy-five--224 bodies were found on the field and as many as fifty fell in the river.... " [28]

James D. Doty, representing the Department of the Interior as superintendent for Indian Affairs in Utah Territory, informed his superiors in Washington that Shoshoni survivors of the massacre reported that 255 men, women, and children were killed in the engagement on Bear River.

3. Californians Report No Adult Male Wounded or Prisoners

A review of the reports by the white establishment of their body counts, many more of which are referenced by Brigham D. Madsen in his definitive account of the conflict, found in The Shoshoni Frontier and the Bear River Massacre, reveals that neither the

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senior officers, nor the reports and stories told by other whites, reference any Native Americans wounded or any male Shoshonis captured. The usual percentage of killed to wounded in battles fought during the Civil War, contemporary with Bear River, was four wounded to one dead. Connor and his soldiers evidently believed that the only good male Indian was a dead Indian. While neither Connor nor Evans listed any Native American women or children in their body counts, Agent Doty does. [29]

4. How Many Dead Women and Children?

Just how many women and children were killed or wounded in the fight, the closing phases of which took place in the willow thickets and about the lodges, has never been determined. Abraham C. Anderson, in an article published in the Union Vedette on January 29, 1867, the fourth anniversary of the attack, recalled that "as soon as the squaws and children ascertained that the soldiers did not desire to kill them, they came out of the ravine and quietly walked to our rear." Anderson also noted that "three women and two children were accidentally killed." [30] A New York Times correspondent, relying on the stories of white participants, opined that ten women had been slain. [31] A Native American told Samuel Roskelly, a Cache Valley settler, that at least 30 women had been killed by the soldiers "and many children." Another Cache Valley Mormon, John Martineau, reported 90 women and children dead. [32] The correspondent for the Bulletin informed his readers in an article published in the San Francisco Alta California that 120 women and children had survived the battle. [33]

Only about a score of male Shoshonis escaped the holocaust. Numbered among the dead so-called warriors were a proper ratio of hoary-haired men in their 60s, 70s, and 80s. Chief Bear Hunter and subchief Lehi had been killed and the former's body mutilated. Chief Sagwich escaped when he "tumbled into the River and floated down under some brush and lay there til night, and after dark he and some more warriors ... took off two of the soldiers horses and some of their own ponies and went north." [34]

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The Californians spent the night of January 29, 1863, camped in the Bear Creek bottoms. The wounded were sheltered in tents and the remainder of the battalion huddled and bedded down around roaring fires fed by poles taken from the Shoshonis' lodges. Colonel Connor had dashed off a message to Colonel Evans at Camp Douglas, informing him of the victory and directing him to rush north a relief column with medicines and rations to assist the returning troops. Sleds and teams were requisitioned from the Franklin and Richmond Mormons to haul the dead, wounded, and those with the worst cases of frostbite south to Camp Douglas.

On the morning of the 30th, following arrival of the sleds and their drivers, Connor's column crossed Bear River. Nightfall found the soldiers camped at Franklin. Six more days passed before the troops arrived back at Camp Douglas. Connor's attack on and destruction of Bear Hunter's people and village earned for him a commendation from the War Department and prompt promotion to brigadier general in the U.S. Volunteers to rank from March 30, 1863. [35]

F. General Connor's Mailed Fist Brings Peace to Utah Territory

General Connor retained the initiative gained at Bear River. In May, a one-company post, Camp Connor, was established at Soda Springs, an Oregon Trail landmark, where the wagon road broke away from Bear River to reach the divide that gave access to the upper reaches of the Blackfoot River. Patrols operating out from Camps Connor and Douglas and Fort Bridger from late spring until autumn of 1863 harassed the Idaho Territory Shoshonis and Bannocks. Soon these chiefs, fearing the fate of Bear Hunter and his Northwestern Shoshonis, opted for peace. Connor also carried the war to the Utes and Gosiutes, who had been striking at traffic traveling the Overland Mail Route between Salt Lake City and Fort Ruby.

At councils held during the summer of 1863, General Connor and Superintendent Doty made peace with nearly all the Native Americans of Utah. By October 1863, they notified the Overland Mail Company that all Indians in Utah Territory were at peace and "all routes of travel through Utah Territory to Nevada and California, and to the Beaver Head and Boise river gold mines, may now be used with safety."

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Footnotes

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2. Stan Hoig, The Sand Creek Massacre (November 1961), p. 135.
3. Russell, "How Many Indians Were Killed ...," pp. 45-46.
4. Brigham D. Madsen, The Shoshoni Frontier and the Bear River Massacre (Salt Lake City, 1985), pp. 21-23.
5. Ezra J. Warner, Generals in Blue: Lives of the Union Commanders (Baton Rouge, 1964), pp. 87-88.
6. Robert M. Utley, Frontiersmen in Blue: The United States Army and the Indians, 1848-1868 (New York, 1967), pp. 222-223.
7. Ibid., 223.
8. Madsen, Shoshoni Frontier, p. 177.
9. Deseret News, Jan. 14, 1863.
10. Madsen, Shoshoni Frontier, p. 178.
11. The War of the Rebellion: The Official Records of the Union and Confederate Armies (73 vols. 128 pts. Washington, 1880-1901), Ser. 1, Vol. L., pt. 1, pp. 187, 992.
12. Madsen, Shoshoni Frontier, p. 179; Deseret News, Feb. 4, 1863; Sacramento Union, Jan. 31, 1863.
13. Madsen, Shoshoni Frontier, pp. 179-180; Official Records, Ser. I, Vol. L., pt. 1, p. 185.
14. Madsen, Shoshoni Frontier, pp. 181-182; San Francisco Bulletin, Feb. 20, 1863; Official Records, Ser. I., Vol. L, pt. 1, p. 185.
15. Madsen, Shoshoni Frontier, p. 182; Deseret News, Jan. 28, 1863.
16. Madsen, Shoshoni Frontier, p. 182; Newell Hart, The Bear River Massacre (Preston, Idaho, 1982), pp. 73-75.

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17. Official Records, Ser. I, Vol. L, pt. 1, p. 185; Madsen, Shoshoni Frontier, p. 183.
 18. Madsen, Shoshoni Frontier, pp. 183-185; Hart, Bear River Massacre, p. 254.
 19. Madsen, Shoshoni Frontier, p. 185; San Francisco Bulletin, Feb. 20, 1863.
 20. Madsen, Shoshoni Frontier, pp. 185-186; New York Times, Feb. 25, 1863; Edward T. Barta, "Battle Creek: The Battle of Bear River," M.A. thesis (Idaho State University, Pocatello, Idaho), pp. 86, 93.
 21. Madsen, Shoshoni Frontier, p. 186; Hart, Bear River Massacre, p. 130; Official Records, Ser. I, Vol. L, pt. 1, pp. 185-186.
 22. San Francisco Bulletin, Feb. 20, 1863.
 23. Official Records, Ser. I, Vol. L, pt. 1, pp. 185-186; Madsen, Shoshoni Frontier, pp. 186-188; Barta, "Battle Creek: The Battle of Bear River," pp. 121-130.
 24. Madsen, Shoshoni Frontier, p. 188.
 25. Ibid., 188-189; Official Records, Ser. I, Vol. L, pt. 1, p. 186; Barta, "Battle Creek: The Battle of Bear River," pp. 121-130; San Francisco Bulletin, Feb. 20, 1863.
 26. Madsen, Shoshoni Frontier, p. 189; San Francisco Bulletin, Feb. 20, 1863; Official Records, Ser. I, Vol. L, pt. 1, p. 186.
 27. Official Records, Ser. I, Vol. L, pt. 1, p. 187; Madsen, Shoshoni Frontier, pp. 225-229; Hart, Bear River Massacre; pp. 112-115.
 28. Madsen, Shoshoni Frontier, p. 190.
 29. Ibid., 190-191.
 30. Ibid., 191; Union Vedette, Jan. 29, 1867.
 31. New York Times, Feb. 25, 1863.
 32. Madsen, Shoshoni Frontier, pp. 189-190.

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33. Alta California, Feb. 17, 1863.
34. Official Records, Ser. I, Vol. L, pt. 1, p. 187; Mae T. Perry, "Massacre at Boa Ogoi," The Bear River Massacre (Preston, Idaho, 1982).
35. Madsen, Shoshoni Frontier, pp. 194-196; Warner, Generals in Blue, p. 87.
36. Utley, Frontiermen in Blue, pp. 224-225; Official Records, Ser. I, Vol. L, pt. 1, pp. 226-228, 229, 527-530; pt. 2, pp. 479, 527-530, 658-659.

9. Major Bibliographical References

Previous documentation on file (NPS):

- ☐ preliminary determination of individual listing (36 CFR 67) has been requested
- ☒ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey # _____
- ☐ recorded by Historic American Engineering Record # _____

☐ See continuation sheet

Primary location of additional data:

- ☒ State historic preservation office
- ☐ Other State agency
- ☒ Federal agency
- ☐ Local government
- ☐ University
- ☐ Other

Specify repository:

National Register of Historic Places
Washington, D.C.

10. Geographical Data

Acreage of property 1691 acres

UTM References

A 1 2 4 2 6 0 0 0 4 6 6 6 7 4 0
Zone Easting Northing

C 1 2 4 2 2 7 4 0 4 6 6 6 3 4 0

E 1 2 4 2 3 7 6 0 4 6 6 6 7 6 0

B 1 2 4 2 6 0 0 0 4 6 6 4 3 2 0
Zone Easting Northing

D 1 2 4 2 2 7 2 0 4 6 6 5 5 2 0

☐ See continuation sheet

Verbal Boundary Description

☒ See continuation sheet

Boundary Justification

☒ See continuation sheet

11. Form Prepared By

name/title Edwin C. Bearss, Chief Historian & Merle Wells, former Idaho SHPO

organization NPS-History Division date 1/30/90

street & number 1100 L St. NW telephone (202) 343-8163

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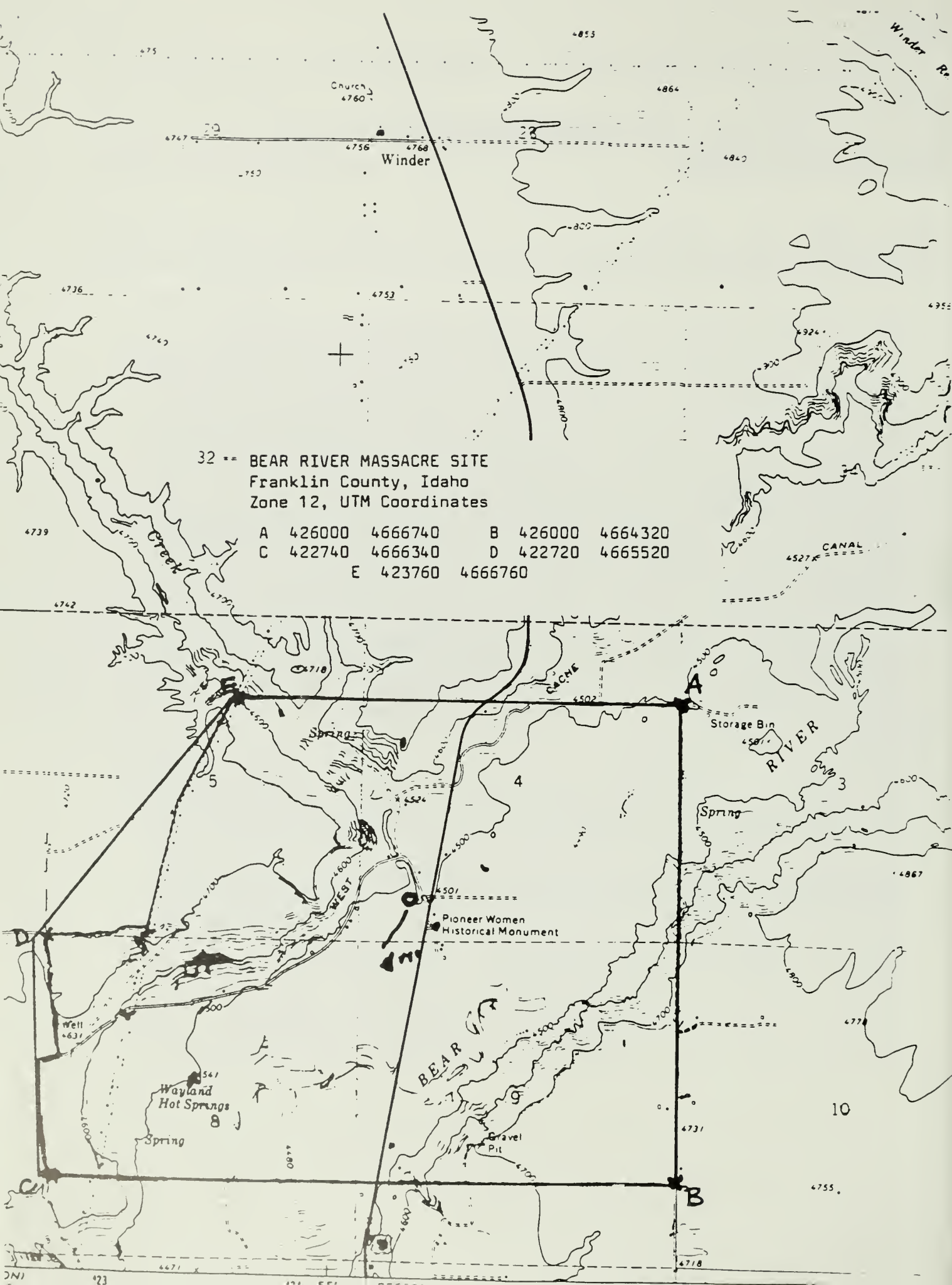
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VERBAL BOUNDARY DESCRIPTION

The southeast corner of the boundary enclosing the site is located on the west side of the farm road dividing Sections 9 and 10, Township 15 South, Range 39 East, at a point 1,400 feet north of the southeast corner of Section 9. From there--the point of beginning--the East boundary of the site runs north, with the east line of Sections 4 and 9, approximately 7,900 feet to the south side of the east-west farm road that is parallel to and 1,300 feet south of the north boundary of Section 4. The north boundary of the site then extends due west 7,400 feet to intersect the Utah Power and Light power line at the 4,600-foot contour on the escarpment west of Battle Creek; then southwest with the power line to the point where it crosses over a farm road near the 4,700-foot contour; then due west 1,750 feet with the south side of the farm road to its intersection with the north-south county road at the point where Sections 5,6,7, and 8 corner; and then south, with the east side of the aforementioned county road 4,020 feet to a point 1,400 feet north of the southeast corner of Section 7. From here--the southwest corner of the proposed NHL--the line runs due east 10,400 feet to the place of beginning.

BOUNDARY JUSTIFICATION

The boundary, as described, includes the site of the Northwestern Shoshoni Village, the escarpment south of Bear River from where the Californians reconnoitered the village preparatory to attacking, the Soldiers Fords, the Battle (Beaver) Creek ravine and hollow, the area where the Northwestern Shoshonis initially battled and more than held their own against Major McGarry's battalion, the ground where Colonel Connor brought up and deployed reinforcements, the massacre site where the Northwestern Shoshonis sought to escape the fury of the Californians, and the Pioneer Women's Historical Memorial. Homes and improvements, along with roads, irrigation canals and ditches, etc., made in the years since the 1860s to support ranching and farming activities, do not contribute to the national significance of the resources associated with the village, battle, and massacre.



32 == BEAR RIVER MASSACRE SITE
Franklin County, Idaho
Zone 12, UTM Coordinates

A	426000	4666740	B	426000	4664320
C	422740	4666340	D	422720	4665520
E	423760	4666760			

APPENDIX B: PUBLIC COMMENT ON THE NOVEMBER 1995 DRAFT SPECIAL RESOURCE STUDY

SUMMARY OF PUBLIC COMMENT

About 120 people attended public meetings, and 64 people wrote comments on the study during the comment period. Opinions about whether the Bear River massacre site should be included as a national park system unit varied by location and by the general interests of the reviewers, but there were supporters of the idea in all locations. Most commenters favored creation of either Bear River Massacre Site National Historic Reserve or Bear River Massacre Site National Historic Site.

Preston area landowners are the most concerned about possible negative impacts of the designation of a national historic reserve or national historic site. They fear that their land value will decrease, that they will be restricted from developing their property, and that they will lose their privacy with an influx of tourists.

Other groups, further removed from the area under consideration, generally favored the creation of a reserve or historic site. In contrast, a significant minority believed the cost of creating and maintaining another national park system unit was too great or that other units would suffer by the designation of a new one. Not all commenters endorsed a specific alternative.

ANALYSIS OF THE COMMENTS

Although 64 letters were received, 19 appear to be responding to newspaper articles that appeared in *The Preston Citizen*, *The Salt Lake Tribune*, and *The Idaho Herald Journal*. Because these letters do not specifically address the study, they were analyzed separately.

Landowner Responses

Three of the four landowners who wrote comment letters indicated that they either wanted the site

left as it is or that they wanted very minimal changes to improve the interpretation of the massacre and circulation of traffic at the existing monument. Their comments indicate support for either the no-action alternative or a variation of alternative 1. The fourth landowner owns a portion of the 144-acre massacre field.

This couple does not favor the granting or acquisition of easements but prefers fee-simple purchase. For them to make plans for their future, they would like to see a speedy decision and quick follow-up action by Congress. This couple either wants nothing to happen (no-action alternative) or for the National Park Service to buy them out as soon as possible (alternative 4).

We love living in this area, and have raised our three children here, farmed and also raised sheep for 25 years. This is our home. We don't want to be forced to leave here or have the life we live changed. 133 years ago the Indians living here were massacred because people wanted their land. Two wrongs don't make a right.

Letter signed by two landowners.

In addition to the four comment letters, landowners were quite vocal at the public meeting and open house held in Preston, Idaho, on December 12, 1995. About 50-60 people attended either the open house or the meeting, and at least eight of those were landowners. Most of the questions and comments during the public meeting centered around the landowners' concerns about (1) the potential adverse effects of the proposals on the value of their properties, (2) their ability to sell their land if it is encumbered by easements or design restrictions, (3) how visitors would be prevented from walking over private property, and (4) what sorts of activities they, as landowners and residents, might be restricted from undertaking. One landowner

SUMMARY OF AFFILIATION AND RESIDENCE OF COMMENTERS ON THE DRAFT SPECIAL RESOURCE STUDY

Residence	Landowners	Shoshone	Historians/ Advocates	Organi- zations	Students	Other	TOTAL
Preston Area	4		2			8	14
Idaho		2	2			2	6
Utah		1	2	1		3	7
Other Area			1	1	16		18
Total	4	3	7	2	16	13	45

STATED OR IMPLIED PREFERENCE FOR GIVEN ALTERNATIVES BY CATEGORY OF RESPONDENT

Categories	Landowner	Shoshone	Historians/ Advocate	Organi- zations	Students	Other	TOTAL
Do nothing; do not make it a park (no action)	1					2	3
Do nothing except... (alternative 1: local historic site)	2					1	3
Alternative 2 (state historic reserve)						1	1
No NPS involvement						1	1
Alternative 3 (national historic reserve)			2		2		4
Alternative 4 (national historic site)		2	2	1	7	4	16
NPS operation (alternative 3 or 4)				1	4	1	6
Other or no preference	1	1	3		3	3	11

feared that he might not be able to build additional residences on his property. Some people were skeptical about the ability of any management agency to adequately restrict visitor movement and protect property with the projected increase in visitation that would follow the construction of a visitor center and other visitor facilities.

The landowners at the public meetings and in the written comments appeared to favor either little or

no onsite development or the outright purchase of land in fee simple. Their primary concern is that the operating agency (local, state or National Park Service) would place easements or restrictions on their property, making it difficult to sell at a later time or unduly affecting their freedom to build, develop, remodel, or adapt to changing agricultural technologies or techniques.

Three owners of separate properties on the massacre field called the National Park Service

after distribution of the May 24, 1996, newsletter. Two expressed a willingness to sell their property in fee simple, and the third owner indicated a willingness to grant conservation easements.

Shoshone Responses

The Bear River massacre is an issue that divides members of the four Shoshone tribes along kinship lines; taking a stance on the study could be interpreted by some as endorsing one side of this dispute. The three tribes that the National Park Service met with appear to harbor some distrust of each other's tribal governments. There are fears that one tribe would dominate the others in any kind of cooperative effort between the tribes (e.g., operation of the cultural center, negotiation of access to the massacre field, and the design of a Shoshone memorial). Although there does appear to be an almost unanimous opinion that the massacre was important to their cultural heritage and that human remains need to be preserved and respected, there may be ambivalence towards who would operate the cultural center or attempt to take the lead in negotiating access rights or designing the Shoshone memorial.

We the members of the Northwestern Band of Shoshoni Nation feel it is time for the Bear River Massacre site to be Nationally recognized as one of the most brutalizing attacks against Native peoples. We the members, want to honor our ancestors for the atrocities which they endured. Such honor would be established in the protection of the massacre site through Federal acquisition within the National Park System.

Letter signed by 27 Shoshoni people.

Two of the three written responses by Shoshones, including one with 27 signatures of descendants of massacre victims and current members of the Northwest Band of Shoshoni Nation, endorsed alternative 4. These letters stated in particular that NPS ownership of the massacre field in this

alternative would provide the best protection for the sacred ground and its contents.

The third Shoshone letter did not comment on any particular action or alternative in the study but instead suggested that the entire site be purchased through condemnation at the value of \$0.50 to \$0.75 an acre, an amount accorded the Northwest Shoshoni in a land dispute case in the 1970s. Although this suggestion could not be considered by the National Park Service, the comment itself is important; it suggests the deep-seated anger and resentment by some Shoshone people towards past injustices.

About 50 Shoshone people came to the three public meetings held near three of the Shoshone reservations. Most of those meetings were devoted to answering questions and clarifying the contents of the draft study. Many questions dealt with the protection of human remains under existing laws, and several people expressed a belief that only federal acquisition of either fee title or easements of the 144-acre massacre site could adequately protect those remains. Meeting participants reiterated Shoshone interests in the site. Some expressed concern that political issues within and between the tribes could stand in the way of preserving the site (which most commenters indicated was of paramount concern to them).

A commenter at Fort Hall eloquently stated that the commemoration of the Bear River massacre site would allow the American people to better understand the Shoshone people and the tragedy of the massacre. He observed that the Shoshone still feel the pain of the massacre and that it has caused political division in the tribes. He urged his fellow tribal members to set their politics aside because this story should be void of politics. The site needs to be preserved, not as a symbolic gesture that the Shoshone were in the right and the army and settlers were wrong ("not to get even"), but because the massacre needs to be remembered. The Shoshone people and Americans as a whole should remember why it happened and learn from it. The speaker expressed a fear that his culture will vanish and

believed that designation of this site as a national historic site or reserve would help to preserve a portion of that culture.

Historian and Advocate Responses

Seven historians or other advocates wrote comment letters; only four expressed a preference for any of the alternatives. All four favored NPS operation of the site, stating that they did not believe the state or local governments would have the financial resources to adequately protect the site. All advocates stated that it was important to balance the interpretation of the massacre story and believed that only federal interpretation could resist public pressure to "sanitize" the massacre story. The two advocates who favored alternative 3 did so because they believed it to be a compromise alternative that would meet some of the needs of the landowners better than alternative 4.

In thirty-two years of battlefield research it has been my experience that only those sites that were federally managed have been adequately protected. It is my opinion that only federal management of this historic site can assure compliance of the Native American Grave Protection [and Repatriation] Act and preservation of a nationally significant historic site.

Letter by a historian.

Organization Responses

Two organizations representing rather large constituencies wrote commenting on the plan. The National Parks and Conservation Association, with a membership of about 450,000 people, detailed its support for creating a national park system unit and endorsed alternative 4 as best preserving and interpreting the massacre.

The other letter was signed by 11 legislators of the Utah State Legislature, who are members of the Native American Liaison Committee. They

supported the idea of creating a national park system unit but did not endorse a particular alternative. As noted previously, the Utah State Legislature passed a resolution in 1986 calling for the creation of a national monument at the Bear River massacre site.

A third letter, signed by the Franklin County Commissioners, which was written to Senator Larry Craig (Idaho) at his request and copied to the National Park Service, took the position that they would support an alternative somewhere between alternatives 3 and 4. They appear to favor the type of development proposed in alternative 4 but with the stronger voice given the landowners in alternative 3. Because the letter was not addressed to the National Park Service, their response has not been included in the formal analysis.

Student Responses

Sixteen letters were received from graduate students in the public history program at Tennessee Middle University. They were thoughtful analyses of each of the four alternatives and the no-action alternative. All students carefully compared and contrasted what they viewed as positive and negative aspects of each alternative. Thirteen of them concluded that one alternative or a combination of elements from two alternatives best accomplished the purposes of the site as stated in the "Desired Future" section of this study. Of these 13, seven recommended that Congress consider implementing alternative 4, four endorsed a combination of alternatives 3 and 4, and two students most approved of alternative 3. One student opined that alternatives 2 and 4 offered the greatest diversity of choices and, recognizing the conflict in interests between the landowners and the Shoshone people, stated that the advantages offered to the landowner in alternative 2 must be weighed against those offered the Shoshone in alternative 4.

Of particular interest in the analysis of the alternatives undertaken by these students is that 12 of them advocated federal fee-simple ownership of the 144-acre massacre field site. Five specifically mentioned that the rights of the Shoshone to have access to the field must be respected, and four suggested that the National Park Service consider an option that would prohibit public access to the massacre field other than for the Shoshone.

To support the latter suggestion, one student suggested a new concept for consideration by the National Park Service in its final study — that no visitation occur on the massacre site. He proposed that the site be a place of contemplation, not recreation.

The Bear River Massacre site is not, and never should become a park. . . . The design of a site with park-like attributes (trails, accessible field, pretty landscaping, historic reconstructions) connotes leisure, celebration, and heritage. The area in question is a site of shame which should be preserved as a place of sobering meditation, not recreation.

Letter by a graduate student.

Other Responses

Eleven of the 13 other respondents expressed preference for a named or implied alternative. These responses were evenly divided between favoring NPS operation of the site and no NPS involvement. Of those wanting no federal involvement, none named a specific alternative; they stated that they believed nothing should be done or suggested only minor changes, such as improving the balance of the interpretation or having a visitor center in Preston (as proposed in alternative 1). Most of these people stated that they did not think the event warranted spending federal taxpayers' money or that they feared the creation of such a unit would take money away from other national park system units.

Alternately, four of these respondents specifically favored alternative 4, stating that it would be good for the local economy and that it best provided for protection of the resource and a balanced interpretation of the massacre.

SUMMARY OF STUDY RESPONSES

In summary, eight commenters wanted no federal involvement in the operation, management, or protection of the Bear River massacre site, 10 expressed no preference, and 27 wanted to make it a national park system unit. One of these latter letters had multiple signatories, and two represented large constituencies.

APPENDIX C: ISSUES DISCUSSED DURING SHOSHONE CONSULTATION MEETINGS

The National Park Service, as a federal agency, and Indian tribes have a special relationship based on treaties and other instruments that created reserved lands and unique tribal rights. This relationship was recently reaffirmed in a memorandum dated April 28, 1994, from the President of the United States to all federal department and agency heads directing them to consult with tribes about actions that would affect them, especially in matters of concern to their cultural heritage. This directive is built on a substantial body of legislation, including, but not limited to the National Historic Preservation Act and the National Environmental Policy Act. Because there is a potential for human remains and other items described by the Native American Graves Protection and Repatriation Act to be located on the Bear River massacre field, if the site became a unit of the national park system, auspices of that act would also apply.

These directives, laws, and relevant NPS policy direct that Indian tribes with a traditional cultural interest in an area being considered for addition to the national park system be consulted above and beyond the extent to which the public at large is consulted under the provisions of National Environmental Policy Act.

During the meetings with tribal councils and cultural representatives of two of the Shoshone tribes, several issues were raised that are beyond the general conceptual scope of this alternatives document. In order that these issues not be forgotten during any succeeding planning that may occur, a description of the concerns is outlined below.

Meetings were also held with special interest groups, including the landowners and a focus group comprised of representatives of most of the groups of people interested in this study. Their concerns are enumerated in the "Issues and Concerns" section of this study.

MEETING WITH THE TRIBAL COUNCIL OF THE SHOSHONE-BANNOCK TRIBES AT FORT HALL RESERVATION (AUGUST 17, 1994)

NPS anthropologist Frederick F. York and team captain Catherine H. Spude met with six of the seven Fort Hall Indian Reservation Business Council Members: Vice Chairman Keith Tinno, Secretary Delbert Farmer, Treasurer Claude Broncho, and council members Linford Ponzo, Hobby Hevewah, and Duane Thompson. Only Chairman Marvin Osborne was unable to attend the meeting. In addition, two staff members from the tribal Cultural Resource office were at the meeting: Esther Plentyhawk and John Furniss.

The NPS representatives outlined the planning process and described what the special resource study was to achieve. The following concerns and ideas for solutions were voiced.

Issues

Tourism/Economy. The council stated that they object to the very idea that people in Preston could profit by a boost in tourism based on the massacre of Shoshone people. Therefore, they are fundamentally opposed to the creation of a park or development of visitor facilities.

However, they recognized that development of the site could occur with or without them, and therefore, they appreciate the opportunity to participate in the planning for the site. They stated that tourism is growing in the area, especially towards Bear Lake, that Utah State University in Logan is growing, and traffic is increasing through the Preston area. They noted that Idaho has a state lottery, and a lot of people from Utah go as far as Franklin to buy lottery tickets. They believe that Franklin is one of the fastest growing communities in Idaho. They

observed that Californians and other suburbanites are discovering Idaho and starting to move to the state. As a result of all this growth, they are concerned that the Idaho State Department of Transportation would eventually want to widen U.S. highway 91 through the landmark boundaries.

Interpretation. The council believes that the story of the massacre is still heavily biased towards the army and settler interpretations of what occurred. They stated that there is more than one Shoshone story, and they would like to see a greater emphasis placed on the various Shoshone understandings of the event. They want to see additional research undertaken to understand the Shoshone family stories of the massacre. They believe such research needs to include people who speak both Shoshone and Bannock languages. They pointed out that many Shoshone people do not believe that the California Volunteers were “real” soldiers and did not have the authority to do what they did. They also believe that the Mormon context has not been adequately interpreted: that is, the Mormons themselves were viewed as different from mainstream American culture of the time, and that Connor was stationed in Salt Lake City to control the Mormons as much as the Indian populations.

Artifacts. Both documentary and oral history evidence suggests that soldiers engaged in a great deal of looting after the massacre. They believe many of those items may now be at Fort Douglas. The Shoshone also suspect that Preston citizens and local landowners have substantial collections of artifacts taken from the massacre site. They do not like to see these items regarded as war trophies or souvenirs.

Tribal Rights. The tribe is trying to reassert tribal rights to hunting and fishing on certain lands outside the reservation. As a result, the council is interested in placing the massacre site under federal management and ownership. Under the terms of their treaties, and presuming enabling legislation upheld those stipulations, federal ownership would give tribal members an opportunity to resume hunting and fishing on

what was once land used by many Shoshone bands.

Archeology. Members of the tribal cultural resource office were concerned that only archeologists had monitored the recent construction of the new highway segment through the landmark boundaries. They do not believe all archeologists have the expertise to recognize Shoshone cultural features. They said that there should be Shoshone monitors on all ground-disturbing activities within the landmark boundary, not just in the vicinity of the massacre field and encampment. The cultural resource office for the tribe has an archeological staff that is capable of doing such studies.

There was some concern expressed about archeological research within the landmark. They want to make sure that any proposed research be focused with concrete research questions, and that it not be undertaken out of mere curiosity.

Shoshone Memorial. During the July 13, 1994, “brain-storming” meeting with the focus group, some members of the Northwestern Shoshoni band had suggested a “simulated grave” or memorial of some sort to the Indian people who were killed in the massacre. Some members of the Shoshone-Bannock tribal council were concerned about such a suggestion. They said that traditional Shoshone people believe that the spirit needs to be released and not held captive in a grave or tomb. A monument might be appropriate, but not a simulated grave.

Suggested Solutions

The council suggested that preference be given to the hiring of Shoshone people, especially as interpreters and in conducting any research for use in interpretation. This solution could address both the concerns that the people of Preston would exclusively profit from tourism at the massacre site, and would also assure them that the Shoshone portion of the story be told more fully.

The tribal council suggested that federal land exchanges be considered for any acquisition that needs to be done in any alternative. They said that the Bureau of Land Management owns land in the Preston area that landowners would find equally convenient for their business. This possibility could be explored, but the presence of homes on subject lands and access to water rights would have to be taken into consideration when negotiating land trades.

The council would like the National Park Service or whichever agency manages the site to enter into a memorandum of understanding with all of the Shoshone bands to clearly define roles, responsibilities, and Shoshone rights.

Shoshone Participation in Planning

The council stated that there are at least two factions with differing versions of the massacre story within the Shoshone-Bannock and Northwestern Shoshoni tribes, factions that are not necessarily divided along tribal lines. They suggested that the National Park Service not limit itself to meeting with only one faction.

The council further believes that there is a substantial amount of discrimination against Indians in the Preston area. Because all previous meetings have been held in Preston, they were concerned that the National Park Service is not hearing Indian concerns. They do not think that public meetings should be restricted to the Preston area.

There was a request to review the draft plan before it is issued to the general public.

MEETING WITH THE TRIBAL COUNCIL AND INTERESTED TRIBAL MEMBERS OF THE NORTHWESTERN BAND OF SHOSHONI INDIAN NATION (MARCH 27–28, 1995)

NPS anthropologist Frederick F. York and team captain Catherine H. Spude met with members of

the Northwestern Shoshoni tribal council on March 27, 1995. About 12 Northwestern Shoshoni tribal members and council members were in attendance. The National Park Service introduced the “Special Resource Study” and received a good deal of comment about how it was originally Shoshone land, it should not be in private ownership now, and should be turned back to the Shoshone. It was explained that it was not the NPS purpose to explore the feasibility of repatriation of their land, but to look at ways to protect, preserve, and interpret the site.

This meeting was followed by a field trip to the massacre field site. Allie Hansen, president of the Bear River/Battle Creek Monument Association, joined NPS representatives and about 30 Shoshoni people. Mrs. Hansen gave a talk about the encampment, the troop movements, and some of the details of the massacre. A few Shoshoni people disagreed with some minor items of historical particulars. Several individuals commented that they had visualized the entire area differently. Many seemed concerned about site impacts, roadside litter, indiscriminate dumping of trash, the cows grazing on the massacre field, and the houses crowding the area.

NPS representatives answered a number of questions related to treatment of human remains under federal and state law. Historical reports for years after the massacre indicated that Shoshone bodies were left on the massacre field and never buried. Subsequent land slides and floods in the area may have buried the bones that remained. A concern was expressed that landowners could dig up bones and never tell anyone, so the state could not enforce its law. The National Park Service indicated that under Idaho state law, it is illegal for private landowners to intentionally withhold information about burials, or to keep human remains in their possession.

On March 28, 1995, NPS representatives again met again with the tribal council and other interested tribal members in Brigham City, Utah. Most of the tribal council was in attendance, as well as 10 other tribal members.

NPS representatives described the actions that would probably be common to all alternatives and then outlined each of the four alternatives, all very briefly, emphasizing that the environmental assessment would weigh the effects of each alternative so that Congress could make the best decision.

In the discussion that ensued, the following concerns were voiced:

1. The land is Shoshone land and was granted to them by treaty. The land is owned by non-Shoshones illegally. Note: According to Richard Clemmer and Omar Stewart in *The Handbook of North American Indians, Vol. 11, Great Basin* (Washington, D.C.: Smithsonian Institution, 1986, pp. 530–534) and the *Idaho Indian Tribal Histories* (Boise: Native American Committee, Idaho Centennial Commission: no date, pp. 48 and 57), the Cache Valley north of Logan was included in the Treaty of Box Elder of July 30, 1863. The last of four Shoshone signatories to the treaty signed on October 14, 1863, at Soda Springs, including remnants of the bands who were at Bear River. However, an agreement ratified by the leaders of the Shoshone-Bannock in 1881 ceded the southern portion of the reservation, forming a boundary similar to what is now the Shoshone-Bannock Reservation at Fort Hall. Some of the Northwestern Band of Shoshoni contend that they were not signatories to that later agreement.
2. The land should be returned to the Shoshone.
3. The massacre field is a burial ground and is very sacred to them.
4. They do not like buildings and domesticated animals on the massacre field.
5. They want the human remains protected and believe that the Native American Graves Protection and Repatriation Act is a stronger law than the Idaho state law protecting human remains. Because the act only applies to federally owned land or land held in trust for Indian tribes, it cannot be enacted as a result of federal actions on private property, nor does it apply to the actions of private citizens on their own land. For that reason, the Shoshoni would like to see the massacre field in federal ownership. They would also like to be given the opportunity to reburial other remains repatriated to them on the massacre site.
6. They recognize that the Northwestern Shoshoni do not have the funding resources to operate a visitor center or cultural center and that they envision such operation to be cooperative between the National Park Service and the tribe.
7. They do not think the state of Idaho could operate the site as well as the National Park Service. They see the Park Service having greater access to funds.
8. They like the idea of the cultural center, want opportunities for the employment of tribal members, and very much want to see all the different family stories collected and told.
9. They would like a way to display items (artifacts) from their cultural heritage.
10. They want involvement in the cultural center.
11. They suggested a fifth alternative, one in which the site is managed by the tribes. After some discussion, the group appeared to agree that joint NPS/tribal management would be better. They envision the National Park Service providing money and technical expertise and the tribe providing knowledge and possibly control over the content of the message and use of the massacre field.
12. A Shoshone should be appointed as a full-fledged member of the planning team on any future planning of the site. Besides tribal

officials or elders that could fill this role, there are currently students in the landscape architecture program at Utah State University who are tribal members and who would eventually be qualified as professional planners.

13. They would like to see hiring preferences for the Shoshone.
14. If the area becomes a fee area, they asked that the legislation specify that there would be no entrance fees for the Shoshone.
15. Under any alternative, the Shoshone should be allowed access to the massacre field itself for performance of ceremonies and other observances without having to get advance permission.

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